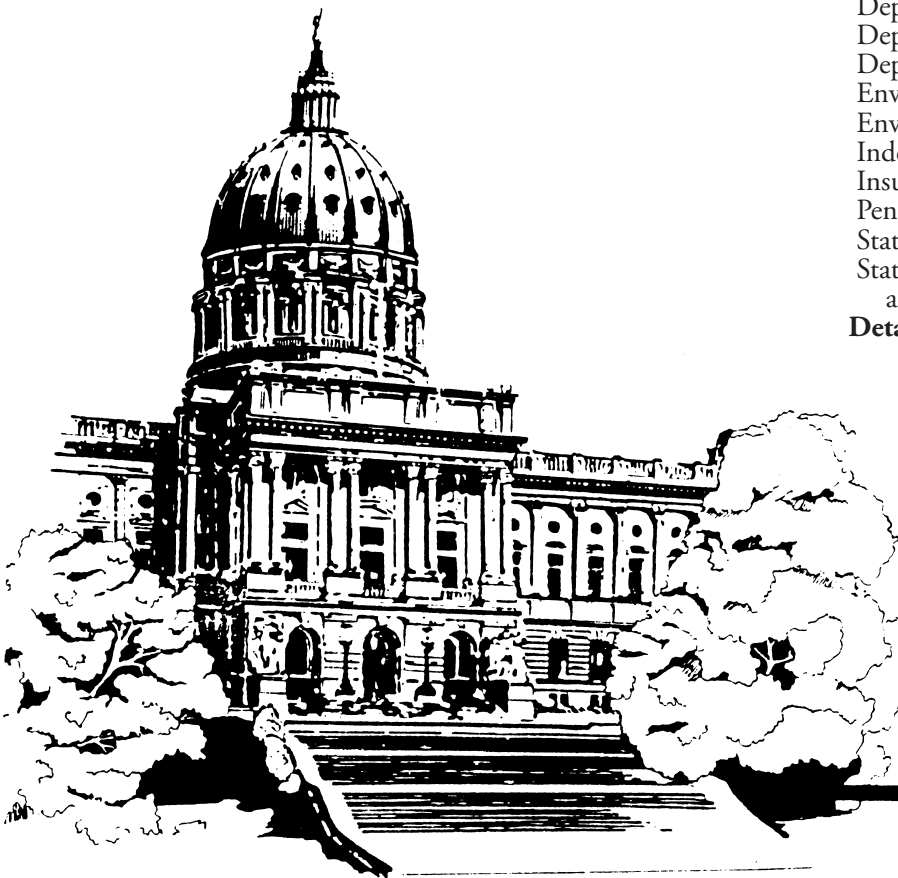


PENNSYLVANIA BULLETIN

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

No. 566, January 2022

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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§ 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.

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THE GOVERNOR

GOVERNOR'S OFFICE

Notice of Veto

January 10, 2022

To the Honorable Senate of the
Commonwealth of Pennsylvania
and the Honorable House of
Representatives of the
Commonwealth of Pennsylvania

Pursuant to Article III, Section 9 of the Pennsylvania Constitution and Section 7(d) of the Regulatory Review Act, I veto and disapprove, and return herewith, Senate Concurrent Regulatory Review Resolution Number 1, which disapproves the Department of Environmental Protection's Final Form Regulation 7-559.

I am vetoing, disapproving, and returning this concurrent resolution for two reasons. First, the Concurrent Resolution is procedurally defective. In adopting the Concurrent Resolution, the General Assembly failed to comply with the Regulatory Review Act (RRA), which creates the concurrent resolution process as applied to regulations. The RRA provides:

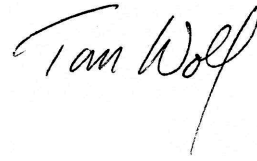
Upon receipt of the commission's order. . .one or both of the committees may, within 14 calendar days, report to the House of Representatives or Senate a concurrent resolution and notify the agency. . .If either committee reports a concurrent resolution before the expiration of the 14-day period, the Senate and the House of Representatives shall each have 30 calendar days or ten legislative days, whichever is longer, from the date on which the concurrent resolution has been reported, to adopt the concurrent resolution.

71 P.S. § 745.7(d). Although the Senate adopted the Concurrent Resolution within the statutory timeframe, the House of Representatives failed to adopt it within the 30 calendar days or ten legislative days from the date that the Senate committee reported the Concurrent Resolution. Given the House's failure to adopt the Concurrent Resolution in a timely and effective manner, the General Assembly has failed to comply with the RRA. Likewise, the General Assembly also failed to adopt the House's version of the concurrent resolution within the statutory timeframe. As such, the RRA directs that the General Assembly is deemed to have approved Final Form Regulation 7-559.

Second, I am vetoing, disapproving, and returning the Concurrent Resolution because Final Form Regulation 7-559 is a vital step for Pennsylvania to reduce carbon emissions and achieve our climate goals. Addressing the global climate crisis is one of the most important and critical challenges we face. Final Form Regulation 7-559 authorizes Pennsylvania's participation in the Regional Greenhouse Gas Initiative (RGGI) under the authority of the Air Pollution Control Act. While the Republican-controlled General Assembly has failed to take any measures to address climate change, by joining RGGI, my Administration will take a historic, proactive, and progressive approach that will have significant positive environmental, public health, and economic impacts. In addition to the environmental benefits, participating in this initiative will allow Pennsylvania to make targeted investments that will support workers and communities affected by energy transition.

For the reasons set forth above, I must veto, disapprove, and withhold my signature from Senate Concurrent Regulatory Review Resolution Number 1.

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. 22-157. Filed for public inspection January 28, 2022, 9:00 a.m.]

THE COURTS

Title 207—JUDICIAL CONDUCT

PART V. JUDICIAL ETHICS ADVISORY BOARD

[207 PA. CODE CH. 1]

Adoption of the Pennsylvania Rules of the Judicial Ethics Advisory Board; No. 563 Judicial Administration Docket

Order

Per Curiam

And Now, this 14th day of January, 2022, the proposals having been submitted without publication in the interests of justice and efficient administration pursuant to Pa.R.J.A. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Pennsylvania Rules of the Judicial Ethics Advisory Board (“Pa.R.J.E.A.B.”) are adopted in the attached form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective immediately, except that Rule 103(b) and Subchapter B of the Pa.R.J.E.A.B. shall be effective July 1, 2022.

Justice Brobson did not participate in the consideration or decision of this matter.

(Editor’s Note: The following rules are new and are printed in regular type to enhance readability.)

Annex A

TITLE 207. JUDICIAL CONDUCT

PART V. JUDICIAL ETHICS ADVISORY BOARD

CHAPTER 1. RULES OF THE JUDICIAL ETHICS ADVISORY BOARD

Subchapter A. PRELIMINARY PROVISIONS

Rule 101. Title and Citation of Rules.

Rule 102. Definitions.

Rule 103. Authority for and Effect of Rules; Designation of Board.

Rule 104. Pennsylvania Judicial Ethics Advisory Board.

Rule 105. Confidentiality.

Rule 106. Civil Immunity of the Board, Its Members, Employees and Agents Regarding Advice by the Board.

Subchapter B. REQUESTS FOR JUDICIAL ADVISORIES; ACTIONS BY THE BOARD; RULES OF RELIANCE

Rule 201. Standards and Timing for Requests.

Rule 202. Assignment to Panel; Composition of Panel.

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Rule 204. Board Action and Publication of Opinions and Guidance.

Rule 205. Informational Discussions.

Rule 206. Rules of Reliance.

Rule 207. Reconsideration.

Rule 208. Records of Board Proceedings.

Subchapter C. MISCELLANEOUS PROVISIONS

Rule 301. Conflict of Interest.

Rule 302. Expenses and Staff.

Subchapter A. PRELIMINARY PROVISIONS

Rule 101. Title and Citation of Rules.

These rules shall be known as the Pennsylvania Rules of the Judicial Ethics Advisory Board and may be cited as “Pa.R.J.E.A.B”

Rule 102. Definitions.

(a) *General Rule.* Subject to additional definitions contained in subsequent provisions of these rules which are applicable to specific provisions of these rules, the following words and phrases when used in these rules shall have, unless the context clearly indicates otherwise, the meanings given to them in this rule:

“Administrative Office.” The Administrative Office of Pennsylvania Courts.

“Board.” The Pennsylvania Judicial Ethics Advisory Board.

“Codes.” The Code of Judicial Conduct and the Rules Governing Standards of Conduct of Magisterial District Judges.

“Judicial Officer.” Any individual within the “Application” language of either of the Codes, including judicial candidates.

(b) *Number; Tense.* In these rules the singular shall contain the plural, and the plural, the singular; and words used in the past or present tense shall include the future.

Rule 103. Authority for and Effect of Rules; Designation of Board.

(a) *Authority for and Effect of Rules.* Pursuant to its constitutional, statutory and inherent authority as set forth in Section 10(c) of Article V of the Constitution of Pennsylvania and in 42 Pa.C.S. Sections 1722 and 1723, the Supreme Court hereby establishes a Judicial Ethics Advisory Board (“the Board”). The purpose of the Board is to provide advice and guidance to judicial officers about ethical matters that may arise in the ordinary course of judicial service, or in the elective or appointive process.

(b) *Designation of Board.* The Board is hereby designated as the approved body to render advisory opinions regarding ethical concerns involving all judicial officers and candidates for all judicial offices, superseding the prior designations of committees of the Pennsylvania Conference of State Trial Judges (“PCSTJ”) and the Special Court Judges Association of Pennsylvania (“SCJAP”). Advice provided under this subchapter shall not be binding upon the Judicial Conduct Board, the Court of Judicial Conduct, or the Supreme Court, but shall be entitled to such weight as provided in these rules.

Rule 104. Pennsylvania Judicial Ethics Advisory Board.

(a) *General Rule.* The Supreme Court shall appoint a board to be known as the “Pennsylvania Judicial Ethics Advisory Board” (“the Board”) which shall consist of nine members: one judge of the Superior Court; one judge of the Commonwealth Court; three judges of the courts of common pleas; one judge of the Philadelphia Municipal

Court; two magisterial district judges who must be members of the Pennsylvania bar; and one member of the Pennsylvania bar who is not a judicial officer. A majority of the Board shall constitute a quorum; action of the Board shall be by majority vote of members attending. No member of the Board may be a member of the Judicial Conduct Board or the Court of Judicial Discipline. The Supreme Court shall designate one member to serve as Chair and another to serve as Vice-Chair.

(b) *Submissions from Representative Judicial Organizations.* The PCSTJ shall submit to the Chief Justice the names of three candidates for each Board position to be filled by a judge of a common pleas court or a judge of the Philadelphia Municipal Court. The SCJAP shall submit to the Chief Justice the names of three candidates for each Board position to be filled by a magisterial district judge. The Supreme Court shall select appointees for those positions from the names submitted. In the absence of submissions, the Supreme Court shall proceed to fill the Board positions.

(c) *Terms and Vacancies.* The first nine appointments to the Board shall be for staggered terms as follows: three members appointed for nine years, three members for six years, and three members for three years. Thereafter, a new appointment to the Board shall be for a single nine-year term. A vacancy shall be filled from the same membership category, or in the case of a representative judicial organization, using the same process, from which the vacating member was appointed. Appointments to fill a vacancy shall be for the balance of the term vacated.

(d) *Powers and Duties.* The Board shall have the authority to:

(1) Render advisory opinions regarding proper judicial conduct under the Codes. The Board may not issue an advisory opinion interpreting a judicial officer's obligations under any provision of law that does not relate to judicial ethics.

(2) Appoint an Executive Director and such other staff and experts as may from time to time be required to perform properly the functions prescribed by orders of the Supreme Court and these rules.

(3) Adopt regulations pertaining to its processes, which regulations shall not be inconsistent with these rules and shall be subject to approval by the Supreme Court.

(4) Develop a course of training in judicial ethics, which course shall be subject to approval by the Judicial Education Board, and which must be completed by every Board member prior to beginning service on the Board.

(5) Make recommendations to the Supreme Court regarding amendments to the Codes and these rules.

(6) Make recommendations to the Continuing Judicial Education Board and the Minor Judiciary Education Board regarding topics for judicial education.

(7) Undertake such other related duties as may be requested of the Board by the Supreme Court.

(e) *Duty to Report.* The Board will provide a summary of its activities to the Supreme Court on an annual basis.

Rule 105. Confidentiality.

(a) *General Rule.* Except for publication of redacted opinions as prescribed in these rules, or as otherwise required by law, the actions and records of the Board,

including all requests for ethics advisory opinions, Panel advice, Board opinions, circulated drafts, records, documents, files, internal communications, deliberations and other proceedings of the Board, any Panel thereof, and any members, agents and employees relating to the business of the Board, shall be confidential and shall not be disclosed to or open to inspection by the public.

(b) *Limited Waiver.* Notwithstanding the general rule, a judicial officer may waive confidentiality as to the advice of the Panel and the unredacted opinion of the Board, either by express written waiver or by invoking any rule of reliance in a disciplinary proceeding relating to the conduct in question. Such limited waiver shall not affect the confidentiality of all other matters protected under subsection (a) of this rule.

Rule 106. Civil Immunity of the Board, Its Members, Employees and Agents Regarding Advice by the Board.

The Board and its members, employees, and agents are immune from all civil liability for conduct and communications occurring in the performance of Board-related duties.

Subchapter B. REQUESTS FOR JUDICIAL ADVISORIES; ACTIONS BY THE BOARD; RULES OF RELIANCE

Rule 201. Standards and Timing for Requests.

Any judicial officer may request an ethics advisory opinion ("Request"). A Request must be submitted to the Board in writing, which may include an email to an address designated by the Board. A Request must contain a statement of the facts regarding the intended conduct and a concise question of judicial ethics, with references to the relevant section(s) of the Codes, case law and other authority the inquiring judicial officer has already consulted. A Request must relate to the inquiring judicial officer's own prospective conduct or conduct of the inquiring judicial officer that has occurred in the past and is ongoing. A Request may not relate to hypothetical situations or to facts that are the subject of past or pending litigation, disciplinary investigation or disciplinary proceedings.

A Request must be submitted at least 14 days prior to the event or action giving rise to the question. The Board Chair or the Chair's designee may, in his or her discretion, waive the 14-day requirement if the Chair or the Chair's designee determines that the circumstances giving rise to the Request were not reasonably foreseeable and that the inquiry can be addressed in the time available.

Rule 202. Assignment to Panel; Composition of Panel.

Every Request shall be assigned an identifying number. The Chair or the Chair's designee will assign the Request to a three-member panel of the Board ("Panel"). At least one member of the Panel shall be a judicial officer from the same level of the judicial system as the inquiring judicial officer. If the inquiring judicial officer is a Justice of the Supreme Court, at least one member of the Panel shall be a judge of the Superior Court or Commonwealth Court.

Rule 203. Provisional Advice.

The Panel shall issue its advisory opinion (“Advice”) in writing, which shall set forth the facts upon which the Advice is based. The Panel’s Advice is provisional until acted upon by the Board. The inquiring judicial officer shall be promptly notified of the Panel’s decision.

If the Panel finds that the Request contains insufficient detail to enable the Panel to render Advice, the Panel may request supplemental information from the inquiring judicial officer. If supplemental information is not provided, or is insufficient, the Panel shall decline on that basis to render Advice, and the inquiring judicial officer shall be so notified.

If the Panel determines that responding to the Request would not aid the judge, benefit the judiciary as a whole, or serve the public interest, the Panel may decline to render Advice, and the inquiring judicial officer shall be notified of the basis for the Panel’s determination.

Rule 204. Board Action and Publication of Opinions and Guidance.

(a) *Review of Panel Advice.* The Board shall review all Panel Advice as soon as practicable. The Board may adopt the Panel’s Advice as the opinion of the Board (“Opinion”), or may determine that the Advice should be modified or reversed by the Board. The inquiring judicial officer shall be promptly notified of the Board’s decision.

(b) *Publication of Board Opinions.* Opinions of the Board shall be published on an area of the Board’s web page available only to judicial officers, and shall be redacted to remove information that might tend to identify the inquiring judicial officer or any other person. The redacted Opinions shall be posted in searchable form, and shall be indexed by the relevant provisions of the applicable Code. The Board may exempt an Opinion from publication if the Board finds that the identity of the requester cannot be protected to the Board’s satisfaction through redaction.

(c) *General Ethics Guidance.* The Board may, in its discretion, issue general ethics advisory guidance (“General Guidance”) on relevant topics. Such General Guidance may be published on a public area of the Board’s web page.

Rule 205. Informational Discussions.

Board members and Board staff may engage in informal or informational discussions in response to inquiries from judicial officers.

Rule 206. Rules of Reliance.

(a) Where a judicial officer complies with Advice that is subsequently adopted as a Board Opinion, such compliance shall be entitled to substantial weight in determining whether discipline should be recommended or imposed.

(b) Where a judicial officer complies with Advice that is subsequently reversed or modified by the Board, compliance prior to the time the judicial officer is notified of the Board’s action shall be taken into account in determining whether discipline should be recommended or imposed.

(c) Where a judicial officer complies with General Guidance, such compliance may be taken into account in determining whether discipline should be recommended or imposed.

(d) Informal or informational discussions with Board members or Board staff shall not be afforded consideration in determining whether discipline should be recommended or imposed.

Rule 207. Reconsideration.

The inquiring judicial officer may submit a written request for reconsideration within twenty days of the date of the Board’s Opinion adopting, modifying or reversing the provisional Advice. A request for reconsideration shall not alter the effect of the Board’s decision unless the Opinion is withdrawn or modified by the Board.

Rule 208. Records of Board Proceedings.

Subject to the requirement of confidentiality set forth in these rules, the Board shall retain records of all Requests, Advice, and unredacted Opinions for an appropriate period of time, no less than ten years, to be determined by the Board in regulations.

Subchapter C. MISCELLANEOUS PROVISIONS**Rule 301. Conflict of Interest.**

No Board member shall participate in any matter involving the Board member’s own inquiry, or in any matter in which the Board member’s impartiality might reasonably be questioned.

Rule 302. Expenses and Staff.

(a) Board members shall not be compensated, but shall be entitled to reimbursement for actual expenses incurred in the performance of Board duties.

(b) Administrative costs and personnel expenses deemed necessary for the Board’s operation shall be fixed by the Court Administrator of Pennsylvania and paid out of funds available therefor.

[Pa.B. Doc. No. 22-158. Filed for public inspection January 28, 2022, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 400]

Order Amending Rule 400 of the Pennsylvania Rules of Civil Procedure; No. 727 Civil Proce- dural Rules Docket

Order

Per Curiam

And Now, this 18th day of January, 2022, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published for public comment at 50 Pa.B. 3573 (July 18, 2020):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 400 of the Pennsylvania Rules of Civil Procedure is amended in the attached form.

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

Additions to the rule are shown in bold and are underlined.

Deletions from the rule are shown in bold and brackets.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 400. SERVICE OF ORIGINAL PROCESS

SERVICE GENERALLY

Rule 400. Person to Make Service.

(a) Except as provided in subdivisions (b) and (c) and in Rules 400.1 and 1930.4, original process shall be served within the Commonwealth only by the sheriff.

(b) In addition to service by the sheriff, original process may be served also by a competent adult in the following actions:

(1) a civil action in which the complaint includes a request for injunctive relief under Rule 1531, perpetuation of testimony under Rule 1532, or appointment of a receiver under Rule 1533[,];

(2) partition[, and];

(3) a declaratory judgment when declaratory relief is the only relief sought[.]; and

(4) a civil action in which there is a complete diversity of citizenship between all plaintiffs and all defendants, and at least one defendant is a citizen of Pennsylvania.

Note: See Rule 76 for the definition of “competent adult.”

(Editor’s Note: Pa.R.C.P. 400 as printed in 231 Pa. Code reads “Official Note” rather than “Note.”)

Service of original process in domestic relations matters is governed by Rule 1930.4.

(c) When the sheriff is a party to the action, original process shall be served by the coroner or other officer authorized by law to perform the duties of coroner.

(d) If service is to be made by the sheriff in a county other than the county in which the action was commenced, the sheriff of the county where service may be made shall be deputized for that purpose by the sheriff of the county where the action was commenced.

**CIVIL PROCEDURAL RULES COMMITTEE
ADOPTION REPORT**

Amendment of Pa.R.Civ.P. 400

On January 18, 2022, the Supreme Court amended Pennsylvania Rule of Civil Procedure 400 to add a category of actions in which original process may be served either by the sheriff or a competent adult. The Civil Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, Comment. The statements contained herein are those of the Committee, not the Court.

Pursuant to a request, the Committee examined the holding in *Encompass Ins. Co. v. Stone Mansion Restaurant Inc.*, 902 F.3d 147 (3d Cir. 2018), concerning the removal of actions from state to federal court and permitting pre-service or “snap” removal pursuant to 28 U.S.C. § 1441. Section 1441(a) provides that a civil action brought in a state court may be removed to federal court where there is federal subject matter jurisdiction, including where there is complete diversity of citizenship between all plaintiffs and all defendants. Section 1441(b) states the “forum defendant” exception: an action other-

wise removable on the basis of diversity jurisdiction “may not be removed if any of the parties in interest properly joined *and* served as defendants is a citizen of the State in which the action is brought.” 28 U.S.C. § 1441(b) (emphasis added).

To obviate the constraints of the “forum defendant rule”, a practice has developed in which defendants will remove actions commenced in state court to federal district court after filing suit, but before service has been effectuated on the in-state defendant. The advent of electronic access to court dockets in state court has increased the opportunity for defendants to monitor the filing of lawsuits before service has been effectuated and to make a determination whether to remove to federal court before the in-state defendant has been served.

The propriety of this procedural maneuver was the subject of *Encompass Ins. Co.* In that case, the defendant agreed to accept electronic service of process instead of requiring formal service of the complaint. See *id.* at 150. However, when the plaintiff then filed suit against the defendant in the plaintiff’s home state and sent the defendant a copy of the filed complaint and a service acceptance form via email, counsel for defendant refused to accept service and thereafter removed the action to federal court. *Id.* Interpreting the statutory language, the Third Circuit Court of Appeals concluded that the plain language of Section 1441(b) does not prevent removal to federal court on the basis of diversity jurisdiction when the forum defendant has not yet been served. The Third Circuit concluded that any change to the statutory language should be appropriately addressed by the legislative branch. *Id.* at 153 n. 4.

The Committee recognized that the delay between the filing of the complaint and service of original process provides the opportunity for “snap” removal. As reported to the Committee, the method of original service available to plaintiffs can be a significant factor in the magnitude of that delay. For example, employing a private process server permits prompt, plaintiff-directed service on defendants whereas the timing of sheriff-effectuated service varies widely within Pennsylvania. The Committee focused its efforts on reducing this potential inconsistency in statewide practice as it relates to “snap” removal.

The Committee observed that Pa.R.Civ.P. 400(a) provides that the sheriff must serve original process of civil actions within the Commonwealth. Pa.R.Civ.P. 400(b) sets forth certain, discrete civil actions for which, in addition to service by the sheriff, original process within the Commonwealth may be served by a competent adult. These include civil actions in which the complaint includes a request for injunctive relief, perpetuation of testimony, appointment of a receiver, partition, and declaratory judgment when declaratory relief is the only relief sought. Yet, Pa.R.Civ.P. 400.1 carves out an exception for the service of original process in Philadelphia County; service may be made either by the sheriff or a competent adult for all actions commenced in the First Judicial District.

The various means for permissible service of original process in Pennsylvania, as provided by the current Rules of Civil Procedure, have resulted in disparate delays in that service, and has led to inconsistent “snap” removal opportunities based upon the county of filing. To address this disparity, the Committee considered two options to address the potential delay in service. First, the Committee considered a modest amendment of Pa.R.Civ.P. 400(b) extending service of original process by a competent adult for the narrow category of cases impacted by the

Encompass Ins. Co. decision. Service by the sheriff would remain an option. Service by a competent adult would allow for plaintiff-directed service rather than sheriff-directed service.

Alternatively, the Committee considered an option to remove the category of cases subject to “snap” removal from operation of Pa.R.Civ.P. 400(b) so that such cases must also be served by sheriff pursuant to Pa.R.Civ.P. 400(a). However, it rejected this approach, which seemingly fosters additional delay, because it appeared contrary to the purpose of the Rules to obtain speedy determinations of actions. *See, e.g.*, Pa.R.Civ.P. 126.

The Committee published the proposed amendment of Pa.R.Civ.P. 400 for comment. *See* 50 Pa.B. 3573 (July 18, 2020). The Committee received four comments supporting the proposal. A suggested revision to augment the rule to state that the filing of a petition for removal operates to join and serve a defendant was not incorporated into the proposal. Accordingly, the Committee made no changes to the proposal following publication.

In sum, the amendment of Pa.R.Civ.P. 400(b) adds a narrow category of cases for which a competent adult, in addition to the sheriff, may serve original process for any civil action in which there is a complete diversity of citizenship between all plaintiffs and of all defendants, and at least one defendant is a citizen of Pennsylvania. The amended rule is intended to ameliorate “snap” removal and the holding of *Encompass Ins. Co.*

The amendment becomes effective April 1, 2022.

[Pa.B. Doc. No. 22-159. Filed for public inspection January 28, 2022, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART II. ORPHANS’ COURT RULES [231 PA. CODE PART II]

Order Amending Rule 10.5 of the Pennsylvania Rules of Orphans’ Court Procedure; No. 901 Supreme Court Rules Docket

Order

Per Curiam

And Now, this 12th day of January, 2022, upon the recommendation of the Orphans’ Court Procedural Rules Committee; the proposal having been published for public comment at 51 Pa.B. 1651 (March 27, 2021):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 10.5 of the Pennsylvania Rules of Orphans’ Court Procedure is amended in the attached form.

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

Additions to the rules are shown in bold and are underlined.

Deletions from the rules are shown in bold and brackets.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS’ COURT RULES

CHAPTER X. REGISTER OF WILLS

Rule 10.5. Notice to Beneficiaries and Intestate Heirs.

(a) Within three [(3)] months after [the] a grant of letters **or whenever there is a change in personal representative, [the] a personal representative [to whom original letters have been granted]** or the personal representative’s counsel shall send a written notice of estate administration in the form approved by the Supreme Court to:

* * * * *

(e) Upon the failure of the personal representative or the personal representative’s counsel to file the certification on a timely basis, the Register shall, after ten [(10)] days subsequent to providing written notice to [the delinquent] **each** personal representative and [his] **their** counsel, notify the court of such delinquency.

* * * * *

Note: Rule 10.5 is [**substantively identical to**] **derived from** former Rule 5.6[,], **Subdivision (a) applies to an initial grant of letters and to all changes in personal representative, including a grant of letters to a successor personal representative or due to the death or resignation of a personal representative when there are other personal representatives who continue to serve. [except that subparagraph] Subdivision (d) of this Rule [no longer] does not prohibit[s]** the Register from charging a fee for filing this certification. The form of notice and certification of notice required by Rule 10.5 is set forth in the Appendix. [**Subparagraph**] **Subdivision (e)** of this Rule is not intended to limit the inherent power of the court to impose sanctions upon a delinquent personal representative or counsel.

Explanatory Comment: It is not the intention of this Rule to require notice beyond the degree of consanguinity entitling a person to inherit under Chapter 21 of Title 20.

ORPHANS’ COURT PROCEDURAL RULES COMMITTEE ADOPTION REPORT

Amendment of Pa.R.O.C.P. 10.5

On January 12, 2022, the Supreme Court amended Pennsylvania Rule of Orphans’ Court Procedure 10.5 governing the notice given by the personal representative to beneficiaries and intestate heirs. The Orphans’ Court Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process as it relates to Pa.R.O.C.P. 10.5. An Adoption Report should not be confused with Comments to the rules. *See* Pa.R.J.A. 103, Comment. The statements contained herein are those of the Committee, not the Court.

The Committee received correspondence regarding the requirement in Rule 10.5 that “the personal representative to whom *original* letters have been granted” send written notice of estate administration to a list of benefi-

ciaries and intestate heirs set forth in the rule. (Emphasis added.) The correspondent questioned if “original” was intended to denote “initial” letters, since all letters issued by a register of wills are original letters. The correspondent further inquired whether a successor personal representative is required to provide notice of estate administration if the initial personal representative failed to do so or provide notice of the change in personal representatives to the interested persons.

The Committee agreed that estate beneficiaries and intestate heirs should receive notice of estate administration from a successor personal representative. Requiring successor personal representatives to notify interested persons of the change in representative ensures the recipients are aware of the change and know from whom they should expect future information. Thereafter, the Committee proposed amending Rule 10.5(a) to eliminate the word “original” with respect to the granting of letters to clarify that any personal representative granted letters must send the notice of estate administration. The Committee also proposed amending the Note to Rule 10.5 to clarify that the notice requirement applies to all personal representatives, including successor personal representatives. *See* 51 Pa.B. 1651 (March 27, 2021).

Based on a comment received in response to the publication, the Committee made changes to the proposal. First, the Committee revised proposed Rule 10.5(a) to eliminate the phrase “to whom original letters have been granted” relative to the personal representative—the phrase is superfluous insofar as a personal representative will always be someone to whom letters have been granted. The Committee further revised proposed Rule 10.5(a) to require notice to interested parties “whenever there is a change in personal representative,” regardless of whether revised letters have been issued. This may occur in some judicial districts upon the death or resignation of a co-executor. The Committee also made corresponding changes to the Note.

Finally, Rule 10.5(e) was amended to clarify that the Register shall provide notice of failure to file timely the certification to each personal representative and their counsel, rather than simply “the delinquent” personal representative. The amendment more accurately describes the procedure when there is more than one personal representative.

These amendments become effective April 1, 2022.

[Pa.B. Doc. No. 22-160. Filed for public inspection January 28, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CRAWFORD COUNTY

In the Matter of the Adoption of Local Criminal Rules of Procedure; No. AD 1 of 2022

Order

And Now, January 18, 2022, the Court *Orders* as follows:

1. Local Rule of Criminal Procedure 576.1, providing for electronic filing, is hereby adopted in the form following this Order, effective thirty days after publication in the *Pennsylvania Bulletin*;

2. The District Court Administrator is *Ordered* and *Directed* to publish and disseminate this Order in conformity with Pa.R.J.A. No. 103.

By the Court

JOHN F. SPATARO,
President Judge

Rule 576.1. Electronic Filing and Service of Legal Papers.

(a) The Administrative Office of Pennsylvania Courts and the Thirtieth Judicial District have agreed upon an implementation plan for electronic filing, as that term is defined in Pa.R.Crim.P. 576.1(C), in the Thirtieth Judicial District through the statewide system known as PACFile, effective April 4, 2022;

(b) Any party may, but is not required to utilize PACFile for filing a legal paper, as that term is defined in Pa.R.Crim.P. 576.1(C), but not including initial filings for summary appeals, nor any matter requiring the assignment of a Miscellaneous Docket (MD) number;

(c) Any party who declines to participate in PACFile, or is unable to do so, may file legal papers in a physical paper format, and that party shall be served legal papers in accordance with the procedures provided under Pa.R.Crim.P. 114(B) and 576(B), and not via PACFile;

(d) All filings shall comply with the Public Access Policy of the United Judicial System addressing confidentiality; and

(e) Applicable filing fees shall be paid through procedures established by the Clerk of Courts, at the same time and in the same manner required by statute, court rule, or published fee schedule.

[Pa.B. Doc. No. 22-161. Filed for public inspection January 28, 2022, 9:00 a.m.]

RULES AND REGULATIONS

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 55]

Registration Class Stickers

The Department of Transportation (Department), under the authority of 75 Pa.C.S. § 6103 (relating to promulgation of rules and regulations by department) and more generally 75 Pa.C.S. §§ 1301 and 1304(b) (relating to registration and certificate of title required; and registration criteria), deletes Chapter 55 (relating to registration class stickers) to read as set forth in Annex A.

Purpose of Chapter

This chapter implements 75 Pa.C.S. § 1304(b) regarding the classification of vehicles. Section 1304(b) of 75 Pa.C.S. authorizes the Department to “identify vehicles by type as to weight, design, loading, use, ownership or other significant characteristics for purposes of registration.” The Department adopted Chapter 55 in 1979 to implement the portion of section 1304(b) that concerns identifying vehicle according to weight for purposes of registration. Chapter 55 requires the affixation of a registration class sticker (Registration Class Sticker) to a windshield, which indicates the registered gross weight class of a truck, truck-tractor or combination registered in this Commonwealth in the registered gross weight classes 2 through 25.

Purpose of this Final-Form Rulemaking

In addition to the Registration Class Sticker, a vehicle’s weight classification is printed on the vehicle’s registration card. The Registration Class Sticker is not exclusively utilized by third parties, including law enforcement, when verifying the authorized operating weight of a vehicle. Instead, law enforcement, based on the understanding of Department personnel, should rely on the registration card to confirm the authorized operating weight of a vehicle. Therefore, the need for a Registration Class Sticker no longer exists, and its elimination will result in administrative and cost savings to the Department and the regulated community.

Significant Provisions of this Final-Form Rulemaking

This final-form rulemaking deletes Chapter 55 in its entirety.

Summary of Comments and Changes

The Department received 75 public comments related to this final-form rulemaking, 74 of which expressed support. That support came from members of the Pennsylvania Motor Truck Association (PMTA). PMTA and its members have consistently expressed support for eliminating Registration Class Stickers due to their obsolescence and the administrative burden of affixing and changing Registration Class Stickers. In sum, comments in support of this final-form rulemaking noted that Pennsylvania is the only state that requires a Registration Class Sticker to be affixed to a windshield and many comments noted the impact to fleet vehicles when a windshield requires replacement and a vehicle, under the present regulation, can be out of service for several weeks until a replacement Registration Class Sticker is obtained and affixed.

The only comment received from the public in opposition to this final-form rulemaking came from one local

law enforcement officer with the Exeter Township Police Department. The officer noted negative consequences would occur from an enforcement perspective because elimination of the Registration Class Sticker would remove a visual tool that the officer and other local law enforcement rely upon for enforcement activities. While the Department values this input and took it into consideration after conducting research, the Department finds the use of a Registration Class Sticker for law enforcement activities to be inherently unreliable.

First, the officer notes that Registration Class Stickers are important to enforcement activities related to gross vehicle weight (GVW), including instances where a vehicle is “under registered” at a lower GVW. The officer later contends that “under registration” of a vehicle will reduce registration revenues to the Department and may be used to circumvent highway and bridge weight restrictions, which adversely impact the lifespan of transportation infrastructure.

It is important to note that a vehicle’s weight classification is printed on the vehicle’s registration card carried within a vehicle and produced during a vehicle stop. As the Department understands law enforcement practices through consultation with the Pennsylvania State Police, its Motor Carrier Enforcement Division and those that train state and local law enforcement personnel, law enforcement personnel never rely on a Registration Class Sticker alone but always confirm the information set forth on the current registration card carried in the vehicle or by accessing the vehicle record from Department records available to law enforcement. From these sources, the registered GVW can be assessed to determine the acceptable weight limits of an empty and loaded vehicle.

A registrant can register their vehicle at its maximum weight rating, then later, reduce the registered weight. When the registered weight is reduced by the registrant, a new registration card is issued along with a new Registration Class Sticker. It is then up to the registrant to remove the old Registration Class Sticker and replace it with the new one. If they do not, the Registration Class Sticker affixed to the windshield will appear as though the vehicle is registered at a higher weight than contained on the vehicle registration card. The reliable way to determine the vehicle’s registered weight is for the law enforcement officer to review the current registration card. There is nothing that precludes under registration of a vehicle under Commonwealth law but that official registration GVW information will limit the total weight of what can be loaded in a vehicle. The actual weight of the vehicle can only be determined by means of weighing the vehicle with a scale.

Turning to revenue, the revenue generated by the Department is tied to the application fee based upon the registered weight of a vehicle and what is set forth on an application. Eliminating Registration Class Stickers will have no bearing on revenue as application fees will be collected in accordance with established fee schedules. An application for registration under 75 Pa.C.S. (relating to the Vehicle Code) is signed by the applicant under penalty of law and any violation of the registration requirements will occur, with or without Registration Class Stickers. Registration Class Stickers do not prevent an applicant from submitting false information or exceeding the maximum GVW when operating the vehicle.

Looking strictly at revenue, eliminating the Registration Class Sticker increases available revenue to the Department because the Department will not incur printing and other administrative costs associated with the issuance of Registration Class Stickers.

As to weight restricted roadway enforcement, these enforcement activities are strictly based on the actual weight of a vehicle, which is not tied to a Registration Class Sticker. Registered weight has no bearing on this type of enforcement. For example, a truck tractor can be registered to carry up to 40 tons. However, when the truck is empty it weighs far less than 20 tons. Therefore, there is no reason the vehicle would be restricted from using a bridge restricted to 25 tons when it is empty. Compliance with infrastructure weight restrictions can be ensured using a scale.

Second, the officer contends that Registration Class Stickers assist in providing a visual clue that a vehicle may not have a combination registration, which relates to a class of vehicle registration that accounts for the combined weight of a truck tractor and trailer.

Registration Class Stickers do not have any discernable information that can be determined from a distance. It is not until one is close to the sticker that the weight class number is legible. This requires the vehicle to be stopped so that the Registration Class Sticker can be read. As stated previously, once the vehicle is stopped, reviewing the registration card carried in the vehicle or the Department's vehicle records is a more reliable means of confirming the registered GVW.

Third, the officer notes that a Registration Class Sticker of seven or greater provides a visual confirmation that Federal Motor Carrier Safety requirements apply to the vehicle, which alters the enforcement activities undertaken by local law enforcement. Again, the reading of the Registration Class Sticker is difficult at highway speeds. Once the vehicle is pulled over, the visual confirmation is not necessary as the registration weights are readily available on the registration card carried in the vehicle or the Department's vehicle records. It is important to note, Federal Motor Carrier Safety requirements are applied based on the GVW rating, not the registered weight. Reliance solely on the Registration Class Sticker may result in Federal Motor Carrier Safety requirements not being applied (in the case of a vehicle registered in a lower weight category) when they should be.

Lastly, the officer concludes that the safety of the motoring public will be impacted by hampered law enforcement activities to prevent overweight vehicles from using Pennsylvania highways. Safety is the paramount objective of the Department. A vehicle over its registered weight, but not its maximum weight rating as set by the manufacturer, is presumed safe. The only way to know if a vehicle is over either its registered weight or maximum weight rating is to weigh it with a scale; at which time law enforcement can review the registration card. The Department does not believe that this final-form rulemaking will hamper law enforcement activities or impact safety. While certain law enforcement practices may change slightly with this final-form rulemaking, the costs savings to the Department and removing administrative burdens to the regulated community outweigh impacts to law enforcement activities.

The Independent Regulatory Review Commission (IRRC) submitted comments to the Department on July 29, 2020. IRRC reiterated several of the officer's concerns, noting that the Department, in the proposed rulemaking,

stated that law enforcement agencies do not use Registration Class Stickers for enforcement purposes, yet the officer's comments indicate otherwise. IRRC questioned the reasonableness of the regulation on this ground and asked the Department to reach out to other law enforcement agencies or Statewide associations to ensure that the deletion of Chapter 55 will not be problematic for the performance of local law enforcement duties.

As indicated previously, the Department reached out to the Pennsylvania State Police. Its Commercial Vehicle Safety Division provides all training to Pennsylvania State Police troopers and local law enforcement personnel in all aspects of motor carrier vehicle safety enforcement. These discussions resulted in the Department amending the statements set forth in the proposed rulemaking that indicate law enforcement never uses Registration Class Stickers. Throughout this final-form rulemaking, the Department clarifies the inherent unreliability of Registration Class Stickers as the sole means of ensuring that a vehicle is registered and operating in accordance with applicable laws. The training presented to State and local law enforcement encourage law enforcement to use the registration card carried in the vehicle and confirm any unclear information through law enforcement's established means of access to Department vehicle records.

IRRC asked the Department to consider the potential "under registration" of vehicles and its impact on the health, safety and welfare of the public if overweight trucks drive on weight restricted roads and the potential loss of revenue for the Commonwealth. The Department was further asked to explain what safeguards are in place to prevent this from happening.

As previously noted, nothing precludes under registration of a vehicle; however, the registration of a vehicle dictates the total weight a vehicle can lawfully carry. Registration Class Stickers do not prevent false information from being submitted to the Department and these stickers do not prevent an operator from overloading a truck. If a vehicle is under registered and is carrying more weight than its registration limit but less than the overall maximum GVW, a properly maintained vehicle can safely operate, but would subject an operator to citations and fines. Weight restrictions on highways and bridges are not directly tied to the maximum GVW capacity of a vehicle but is instead determined by the actual weight of the vehicle to determine if it exceeds weight restrictions. The problem of exceeding a registered or maximum vehicle weight is not prevented or remedied by the continued use of Registration Class Stickers. The Department reiterates that the benefits of this final-form rulemaking to the regulated community and the reduction of administrative costs to the Commonwealth and regulated community outweigh impacts to law enforcement activities.

Persons and Entities Affected

This final-form rulemaking will impact an estimated 1.6 million commercial and non-commercial vehicles currently required to display the Registration Class Sticker.

Fiscal Impact

Deleting Chapter 55 will save the Department the cost of maintaining an inventory of the required stickers (averaging \$25,000 annually). The fiscal impact to the regulated community is difficult to quantify because there is no direct savings to individuals or business as a result of this final-form rulemaking. No fee is charged to individuals or businesses to obtain or replace a Registration Class Sticker. Cost savings to the regulated commu-

nity are tied to administrative time savings to obtain or replace a damaged or destroyed sticker and the time to affix the sticker to a windshield.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 18, 2020, the Department submitted a copy of the notice of proposed rulemaking, published at 50 Pa.B. 2746 (May 30, 2020), to IRRC and to the Chairpersons of the House and Senate Transportation Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, the Department is required to submit to IRRC and the House and Senate Committees copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC and the public. No comments were received from the House and Senate Committees.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on December 8, 2021, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on December 9, 2021 and approved this final-form rulemaking.

Effective Date

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

Sunset Date

The Department is not establishing a sunset date for this regulation, as this final-form rulemaking deletes a chapter.

Contact Person

The contact person for technical questions about this final-form rulemaking is R. Scott Shenk, Manager, Vehicle Registration Division, Bureau of Motor Vehicles, 1101 South Front Street, 4th Floor, Harrisburg, PA 17104 or rshenk@pa.gov.

Findings

The Department finds that:

(1) Public notice of the amendments to the regulations in 67 Pa. Code Chapter 55, was given at 50 Pa.B. 2746 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 under those sections at 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

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

(3) These amendments to the regulations of the Department are necessary and appropriate for the continued implementation of 75 Pa.C.S. § 1304(b) in view of comments received and the public interest.

Order

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

(a) The regulations of the Department, 67 Pa. Code Chapter 55, are amended to delete §§ 55.1—55.6 to read as set forth in Annex A.

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

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

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

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

YASSMIN GRAMIAN,
Secretary

(*Editor's Note:* See 51 Pa.B. 8061 (December 25, 2021) for IRRC's approval order.)

Fiscal Note: Fiscal Note 18-477 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE III. REGISTRATION

CHAPTER 55. (Reserved)

§ 55.1. (Reserved).

§ 55.2. (Reserved).

§ 55.3. (Reserved).

§ 55.4. (Reserved).

§ 55.5. (Reserved).

§ 55.6. (Reserved).

[Pa.B. Doc. No. 22-162. Filed for public inspection January 28, 2022, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 121 AND 129]

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

The Environmental Quality Board (Board) proposes to amend Chapters 121 and 129 (relating to general provisions; and standards for sources) to establish presumptive volatile organic compound (VOC) reasonably available control technology (RACT) requirements and RACT emission limitations for the following control techniques guidelines (CTG) source categories: shipbuilding and ship repair surface coatings; large petroleum dry cleaning facilities; and synthetic organic chemical manufacturing industry (SOCMI) air oxidation, distillation and reactor processes as set forth in Annex A. This proposed rulemaking would add definitions to § 121.1 (relating to definitions); add shipbuilding and ship repair surface coatings to § 129.52 (relating to surface coating processes); and add §§ 129.63b and 129.71a (relating to control of VOC emissions from large petroleum dry cleaning facilities; and control of VOC emissions from the synthetic organic chemical manufacturing industry—air oxidation, distillation and reactor processes).

If published as a final-form rulemaking in the *Pennsylvania Bulletin*, this proposed rulemaking will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP).

This proposed rulemaking was adopted by the Board at its meeting of September 21, 2021.

A. Effective Date

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

B. Contact Persons

For further information, contact Kirit Dalal, Chief, Division of Air Resource Management, Bureau of Air Quality, Rachel Carson State Office Building, P.O. Box 8468, Harrisburg, PA 17105-8468, (717) 772-3436; or Jesse Walker, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposed rulemaking appears in section J of this preamble. Persons with a disability may use the Pennsylvania Hamilton Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board" and then navigate to the Board meeting of September 21, 2021).

C. Statutory Authority

This proposed rulemaking is authorized under section 5(a)(1) of the Air Pollution Control Act (APCA) (35 P.S. § 4005(a)(1)), which grants the Board the authority to adopt rules and regulations for the prevention, control, reduction and abatement of air pollution in this Common-

wealth; and section 5(a)(8) of the APCA, which grants the Board the authority to adopt rules and regulations designed to implement the provisions of the Clean Air Act (CAA) (42 U.S.C.A. §§ 7401—7671q).

D. Background and Purpose

The purpose of this proposed rulemaking is to implement measures to control VOC emissions Statewide from shipbuilding and ship repair facilities with surface coating operations, large petroleum dry cleaning facilities and SOCMI air oxidation, distillation and reactor processes. VOC emissions are precursors to ground-level ozone formation. Ground-level ozone, a public health and welfare hazard, is not emitted directly to the atmosphere by these processes, but forms from the photochemical reaction between emissions of VOCs and oxides of nitrogen (NO_x) in the presence of sunlight.

Ground-level ozone is a highly reactive gas, which at sufficiently high concentrations can produce a wide variety of harmful effects. At elevated concentrations, ground-level ozone can adversely affect human health, animal health, vegetation, materials, and personal comfort and well-being. It can cause damage to important food crops, forests, livestock and wildlife. Repeated exposure to ground-level ozone pollution may cause a variety of adverse health effects for both healthy people and those with existing conditions, including difficulty in breathing, chest pains, coughing, nausea, throat irritation and congestion. It can worsen bronchitis, heart disease, emphysema and asthma, reduce lung capacity and lead to increased morbidity. Asthma is a significant and growing threat to children and adults. High levels of ground-level ozone can affect animals in ways similarly to humans. High levels of ground-level ozone can also cause damage to buildings and synthetic fibers, including nylon, and reduced visibility on roadways and in natural areas. The implementation of these control measures to address ozone air quality nonattainment in this Commonwealth is necessary to protect the public health and welfare, animal and plant health and welfare and the environment.

The EPA is responsible for establishing National Ambient Air Quality Standards (NAAQS), or maximum allowable concentrations in the ambient air, for certain "criteria" pollutants considered harmful to public health and the environment. The criteria air pollutants are commonly found throughout the United States and currently include six air pollutants: ground-level ozone; particle pollution (often referred to as particulate matter); NO_x (with nitrogen dioxide (NO₂) as the indicator); carbon monoxide; sulfur dioxide; and lead. Section 109 of the CAA (42 U.S.C.A. § 7409) established two types of NAAQS: primary standards, which are limits set to protect public health; and secondary standards, which are limits set to protect public welfare and the environment, including protection against visibility impairment and from damage to animals, crops, vegetation and buildings. The EPA established primary and secondary ground-level ozone NAAQS to protect public health and public welfare, including the environment.

In July 1997, the EPA promulgated primary and secondary ozone standards under section 109 of the CAA at a level of 0.08 parts per million (ppm) averaged over 8 hours. See 62 FR 38856 (July 18, 1997). Because ozone ambient air monitoring data is measured out to three decimal places, the standard effectively became 0.084 ppm with rounding; areas with ozone levels as high as

0.084 ppm (84 parts per billion (ppb)) were considered to be meeting the 0.08 ppm standard. In 2004, the EPA designated 37 counties in this Commonwealth as 8-hour ozone nonattainment areas for the 1997 8-hour ozone NAAQS. See 69 FR 23858, 23931 (April 30, 2004).

In March 2008, the EPA lowered the primary and secondary ozone NAAQS to 0.075 ppm (75 ppb) averaged over 8 hours to provide greater protection for children, other at-risk populations and the environment against the array of ozone-induced adverse health and welfare effects. See 73 FR 16436 (March 27, 2008). In April 2012, the EPA designated five areas in this Commonwealth as nonattainment for the 2008 ozone NAAQS. See 77 FR 30087, 30143 (May 21, 2012). These areas include all or a portion of Allegheny, Armstrong, Beaver, Berks, Bucks, Butler, Carbon, Chester, Delaware, Fayette, Lancaster, Lehigh, Montgomery, Northampton, Philadelphia, Washington and Westmoreland Counties.

On October 1, 2015, the EPA lowered the primary and secondary ozone NAAQS to 0.070 ppm (70 ppb) averaged over 8 hours for increased protection of the public health and welfare. See 80 FR 65292 (October 26, 2015). In June 2018, the EPA designated Bucks, Chester, Delaware, Montgomery and Philadelphia Counties as nonattainment for the 2015 ozone NAAQS. See 83 FR 25776 (June 4, 2018).

The Department's certified analysis of the 2020 ambient air ozone season monitoring data shows that all ozone samplers in this Commonwealth are monitoring attainment of the 2015 8-hour ozone NAAQS except three: the Bristol sampler in Bucks County and the Philadelphia Air Management Services Northeast Airport and Northeast Waste samplers in Philadelphia County. All ozone samplers in this Commonwealth are projected to monitor attainment of the 2008 and 1997 8-hour ozone NAAQS. The Department must ensure that the 1997, 2008 and 2015 ozone NAAQS are attained and maintained by implementing permanent and Federally enforceable control measures.

Section 110(a) of the CAA (42 U.S.C.A. § 7410(a)) gives the states the primary responsibility for achieving the NAAQS. Section 110(a) of the CAA provides that each state shall adopt and submit to the EPA a plan to implement measures (a SIP) to enforce the NAAQS or a revision to the NAAQS promulgated under section 109(b) of the CAA. A SIP includes the regulatory programs, actions and commitments a state will carry out to implement its responsibilities under the CAA. Once approved by the EPA as a revision to the SIP, the SIP-approved regulatory program, action or commitment is legally enforceable under both Federal and state law.

Section 172(c)(1) of the CAA (42 U.S.C.A. § 7502(c)(1)) provides that SIPs for nonattainment areas must include "reasonably available control measures," including RACT, for sources of emissions of VOC and NO_x. The EPA defines RACT as "[t]he lowest emissions limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility." See 44 FR 53762 (September 17, 1979).

Section 183(e) of the CAA (42 U.S.C.A. § 7511b(e)) directs the EPA to list for regulation those categories of products that account for at least 80% of the VOC emissions from consumer and commercial products in ozone nonattainment areas. Section 183(e)(3)(C) of the CAA further provides that the EPA may issue a CTG document in place of a National regulation for a product

category on the section 183(e) list when the EPA determines that the recommendations of the CTG, when implemented by the affected states, will be "substantially as effective as regulations" in reducing emissions of VOCs in ozone nonattainment areas.

Section 182(b)(2) of the CAA (42 U.S.C.A. § 7511a(b)(2)) provides that for moderate ozone nonattainment areas, states must revise their SIPs to include RACT for sources of VOC emissions covered by a CTG document issued by the EPA prior to the area's date of attainment of the applicable ozone NAAQS. For RACT implementation purposes, the entire Commonwealth is treated as a "moderate" ozone nonattainment area, because this Commonwealth is included in the Ozone Transport Region (OTR) established under sections 176A and 184 of the CAA (42 U.S.C.A. §§ 7506a and 7511c). Section 184(b) of the CAA (42 U.S.C.A. § 7511c(b)) addresses provisions for the SIP of a state included in the OTR. Section 184(b)(1)(B) of the CAA requires that states in the OTR, including the Commonwealth, submit a SIP revision requiring the implementation of RACT for all sources of VOC emissions in the state covered by a specific CTG and not just for those sources that are located in designated nonattainment areas of the state. The EPA's final implementation rule for the 2015 ozone NAAQS also requires a state within the OTR to submit a SIP revision that demonstrates that it is meeting the RACT requirements of section 184(b) of the CAA for all portions of the state located in an OTR. See 83 FR 63036 (December 6, 2018); and 40 CFR 51.1316 (relating to requirements for an Ozone Transport Region). Consequently, the Commonwealth's SIP must include regulations applicable State-wide to control VOC emissions from existing stationary sources covered by a specific CTG.

In accordance with sections 172(c)(1), 182(b)(2), 183(e) and 184(b)(1)(B) of the CAA, the proposed amendments to § 129.52 and proposed §§ 129.63b and 129.71a establish VOC RACT emission limitations and other requirements for shipbuilding and ship repair facility surface coating operations, large petroleum dry cleaning facilities and SOCMIs air oxidation, distillation and reactor processes consistent with the recommendations of the following EPA documents "Alternative Control Techniques Document: Surface Coating Operations at Shipbuilding and Ship Repair Facilities," EPA-453/R-94-032, April 1994, (1994 SB ACT) and the "Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating)," 61 FR 44050 (August 27, 1996) (1996 SB CTG); "Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners," EPA-450/3-82-009, September 1982 (1982 LPDC CTG); "Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry," EPA-450/3-84-015, December 1984 (1984 SOCMIs CTG); and "Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations Processes in the Synthetic Organic Chemical Manufacturing Industry," EPA-450/4-91-031, August 1993 (1993 SOCMIs CTG).

The Commonwealth is required to submit a SIP revision to the EPA to address and certify RACT for the 2015 8-hour ozone NAAQS and demonstrate how it will bring the nonattainment areas into attainment and maintenance of the 2015 8-hour ozone standard.

This proposed rulemaking would apply to the owners and operators of shipbuilding and ship repair facilities with surface coating operations, large petroleum dry cleaning facilities, and SOCMIs air oxidation, distillation

and reactor facilities. The Department reviewed its databases, permits and general permits and identified two shipbuilding and ship repair operations, one air oxidation operation, several reactors and distillation facilities and several small petroleum dry cleaning facilities that fit the source categories for RACT purposes. There are no large petroleum dry cleaning facilities in this Commonwealth that would be impacted by this proposed rulemaking; small petroleum dry cleaners below the proposed emission limit threshold would only be subject to recordkeeping requirements, which are existing obligations under Federal new source performance standards (NSPS) requirements and permitting regulations. See 40 CFR Part 60, Subpart JJJ (relating to standards of performance for petroleum drycleaners). The owners and operators of the two known shipbuilding and ship repair surface coating operations that would be subject to this proposed rulemaking already meet the proposed CTG RACT requirements through existing permit conditions. Another facility in the City of Philadelphia is already subject to a Philadelphia Air Management Services regulation that has been approved as a revision to the Commonwealth's SIP. All of the SOCOMI facilities meet the CTG RACT requirements and limitations through equivalent Federal requirements (40 CFR Part 60, Subparts III, NNN and RRR (relating to Standards of performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes; Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations; and Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Process)) or through existing permit conditions. Therefore, all existing facilities in this Commonwealth that would be subject to the proposed rulemaking already comply with the proposed CTG RACT requirements and emission limits.

This proposed rulemaking is reasonably necessary to attain and maintain the health-based and welfare-based 8-hour ground-level ozone NAAQS and to satisfy related CAA requirements in this Commonwealth.

Public outreach

The Department consulted with the Air Quality Technical Advisory Committee (AQTAC) and the Small Business Compliance Advisory Committee on this proposed rulemaking on October 15, 2020, and October 28, 2020, respectively. Other than two abstentions in the AQTAC vote, both committees voted unanimously to concur with the Department's recommendation to move this proposed rulemaking forward to the Board for consideration. In addition, this proposed rulemaking was discussed with the Citizens Advisory Council (CAC) Policy and Regulatory Oversight (PRO) Committee on November 9, 2020. On the recommendation of the PRO Committee, on November 17, 2020, the CAC concurred with the Department's recommendation to move this proposed rulemaking forward to the Board.

E. Summary of Regulatory Requirements

§ 121.1. Definitions

This proposed rulemaking would amend § 121.1 to add several terms and revise existing definitions to support the proposed amendments under Chapter 129. The proposed revisions to § 121.1 would incorporate terms as they are defined in the EPA's CTGs or Federal NSPS regulations.

§ 129.52. Surface coating processes

This proposed rulemaking would amend § 129.52 to establish VOC RACT requirements and emission limits for shipbuilding and ship repair facilities with surface coating operations consistent with the EPA's 1996 SB CTG.

This proposed rulemaking would amend subsection (a) to establish that this section applies to a shipbuilding or ship repair facility with a surface coating operation that uses or applies more than 264 gallons of one or a combination of coatings listed in Table I, category 12.

Subsection (c)(1) would be amended to require covered facilities to maintain daily records of volume percent of solids for a Table I surface coating process category 12 coating whose VOC content is expressed in units of weight of VOC per volume of coating solids.

This proposed rulemaking would amend Table I to add compliance requirements and emission limits for the VOC content of surface coatings used at shipbuilding or ship repair facilities with coating operations.

§ 129.63b. Control of VOC emissions from large petroleum dry cleaners

This proposed section would establish applicability requirements for large petroleum dry cleaners, definitions for terms used in this section, VOC emission limitations, compliance monitoring and testing requirements, recordkeeping and reporting requirements and exemptions. The proposed definitions for terms used in this section, VOC RACT requirements, limitations and exemptions for large petroleum dry cleaners are consistent with the EPA's 1982 LPDC CTG.

Subsection (a) proposes to require the owner and operator of a petroleum solvent washer, dryer, solvent filter, settling tank, vacuum still, and other containers and conveyors of petroleum solvent used in petroleum dry cleaning facilities which consume 123,000 liters (32,493 gallons) or more of petroleum solvent annually to control their VOC emissions.

Subsection (b) proposes to define the words and terms used in this section, unless the context clearly indicates otherwise.

Subsection (c) proposes to establish the emission limitations for the owner and operator of a petroleum dry cleaning dryer and associated solvent filtration system. This section would require the owner or operator of a petroleum dry cleaning dryer or associated petroleum solvent filtration system to repair a petroleum solvent vapor or liquid leak within 3 working days after identification of the source of the leak.

Subsection (d) proposes to establish compliance monitoring and testing requirements. These requirements include: (1) calculating VOC emissions using EPA test methods and prescribed specifications; (2) verifying the flow rate of recovered solvents to determine compliance; (3) determining compliance by following procedures specified in the subsection; and (4) performing weekly inspections to establish compliance with the requirements of the subsection.

Subsection (e) proposes to require the owner or operator of a petroleum dry cleaning facility subject to this section to maintain records sufficient to demonstrate compliance.

Subsection (f) proposes to require the owner or operator of a petroleum dry cleaning facility, who claims an exemption to certain requirements in proposed subsections (c)—(e), to maintain records of annual solvent

consumption onsite for 5 years. This proposed recordkeeping requirement would enable the Department to verify that the applicability threshold in subsection (a) has not been exceeded.

§ 129.71a. *Control of VOC emissions from the synthetic organic chemical manufacturing industry—air oxidation, distillation and reactor processes*

This proposed section would establish applicability requirements for a SOCOMI facility and the standards for process vents, air oxidation unit processes, distillation operations and reactor processes. This proposed section would add a table that lists regulated SOCOMI chemicals. The proposed VOC RACT requirements, emission limitations and exemptions in this section for SOCOMI facility air oxidation, distillation and reactor processes are consistent with the EPA's 1984 SOCOMI CTG and 1993 SOCOMI CTG.

Subsection (a) proposes to establish applicability requirements for the owner and operator of a SOCOMI facility that has a vent stream originating from a process unit in which an air oxidation unit process, distillation operation or reactor process produces one or more of the chemicals listed in Table 1 as a product, coproduct, byproduct or intermediate.

Subsection (b) proposes to establish VOC control provisions and standards for process vents from air oxidation unit processes, distillation operations and reactor processes for the chemicals listed in Table 1 List of Regulated SOCOMI Chemicals.

F. *Benefits, Costs and Compliance*

Benefits

The Statewide implementation of the VOC emission control measures in this proposed rulemaking would benefit the health and welfare of the approximately 12.8 million residents and the numerous animals, crops, vegetation and natural areas of this Commonwealth by controlling emissions of VOCs, which are precursors to the formation of ground-level ozone air pollution. Exposure to high concentrations of ground-level ozone is a serious human and animal health threat, causing respiratory illnesses and decreased lung function, leading to a lower quality of life. Improved ambient concentrations of ground-level ozone would reduce the incidences of hospital admissions for respiratory ailments including asthma and improve the quality of life for citizens overall. While children, the elderly and those with respiratory problems are most at risk, even healthy individuals may experience increased respiratory ailments and other symptoms when they are exposed to high levels of ambient ground-level ozone while engaged in activities that involve physical exertion.

Improved ambient concentrations of ground-level ozone would also lead to better social well-being through improved growth and yields of agricultural crop and commercial forest products, as well as increased survival of ornamental trees and shrubs used in residential and business-park landscaping. In addition to causing adverse human and animal health effects, the EPA has concluded that high levels of ground-level ozone affects vegetation and ecosystems, leading to reductions in agricultural crop and commercial forest yields by destroying chlorophyll; reduced growth and survivability of tree seedlings; and increased plant susceptibility to disease, pests, and other environmental stresses, including harsh weather. In long-lived species, these effects may become evident only after several years or even decades and have the potential for long-term adverse impacts on forest ecosystems. Ozone

damage to the foliage of trees and other plants can decrease the aesthetic value of ornamental species used in residential landscaping, as well as the natural beauty of parks and recreation areas.

In addition to the emissions benefits, new sources of VOCs for the indicated source categories would not need to have permit requirements incorporated into the Commonwealth's SIP to meet Federal CAA obligations. This will make addressing permit changes and source modifications easier and more efficient.

Compliance costs

The emission limitations established by this proposed rulemaking would not require the submission of applications for amendments to existing operating permits. The two shipbuilding and repair facilities in this Commonwealth already have the requirements incorporated in their permits, there are no large petroleum dry cleaners operating at or above the proposed applicability limit in this Commonwealth, and the affected SOCOMI units in this Commonwealth already incorporate the EPA's NSPS standards into their existing permits. In the rare event that a permit modification would be necessary, these requirements will be incorporated as applicable requirements at the time of permit renewal, if less than 3 years remain in the permit term, as specified under § 127.463(c) (relating to operating permit revisions to incorporate applicable standards). If 3 years or more remain in the permit term, the requirements would be incorporated as applicable requirements in the permit within 18 months of the promulgation of the final-form rulemaking, as required under § 127.463(b). Consequently, the owners and operators of affected facilities may each realize a savings equal to the fee for submitting an application for an amendment to an existing operating permit, if an amendment to the permit application is not required.

There are no anticipated costs associated with this proposed rulemaking. This proposed rulemaking is designed to address administrative issues associated with failing to have CTG RACT-based regulations for these source categories in this Commonwealth. The Department anticipates cost savings for facility owners and operators and the Department as there would be no need to submit amendments to operating permits to the EPA as revisions to the SIP, especially when a facility owner or operator needs to make permit modifications. The exact cost savings to owners and operators in terms of time and resources for avoiding SIP revisions or permitting actions would vary by facility.

Compliance costs for the owners and operators of affected shipbuilding and ship repair surface coating operations, SOCOMI processes, and large petroleum dry cleaners that result from this proposed rulemaking would be negligible. The owners and operators are already in compliance with the proposed CTG RACT requirements for each specific source category. All the known affected facilities are new and meet best available technology and NSPS requirements that are as stringent as the proposed RACT requirements or have permits in place that already meet the proposed RACT requirements.

Compliance assistance plan

The Department will continue to educate and assist the public and the regulated community in understanding the proposed requirements and how to comply with them throughout the rulemaking process. The Department will continue to work with the Department's provider of Small Business Stationary Source Technical and Environmental

Compliance Assistance. These services are currently provided by the Environmental Management Assistance Program (EMAP) of the Pennsylvania Small Business Development Centers. The Department has partnered with EMAP to fulfill the Department's obligation to provide confidential technical and compliance assistance to small businesses as required by the APCA, section 507 of the CAA (42 U.S.C.A. § 7661f) and authorized by the Small Business and Household Pollution Prevention Program Act (35 P.S. §§ 6029.201—6029.209).

In addition to providing one-on-one consulting assistance and onsite assessments, EMAP also operates a toll-free phone line to field questions from small businesses in this Commonwealth, as well as businesses wishing to start up in, or relocate to, this Commonwealth. EMAP operates and maintains a resource-rich environmental assistance web site and distributes an electronic newsletter to educate and inform small businesses about a variety of environmental compliance issues.

Paperwork requirements

The recordkeeping and reporting requirements for owners and operators of applicable sources under this proposed rulemaking are minimal because the records required are in line with the records already required to be kept for emission inventory purposes and for other Federal and State requirements.

G. Pollution Prevention

The Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) established a National policy that promotes pollution prevention as the preferred means for achieving State environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance.

Implementation of the proposed CTG RACT requirements would allow the Department and county agencies to control and maintain VOC emissions from the regulated sources in this Commonwealth, sustain the gains made in healthful air quality and ensure continued protection of the environment and the public health and welfare of the citizens of this Commonwealth.

H. Sunset Review

The Board is not establishing a sunset date for this proposed rulemaking since it is needed for the Department to carry out its statutory authority. The Department will closely monitor this proposed rulemaking after promulgation as a final-form rulemaking in the *Pennsylvania Bulletin* for its effectiveness and recommend updates to the Board as necessary.

I. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 4, 2022, the Department submitted a copy of this proposed rulemaking to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* and to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Environmental Resources and Energy Committees. In addition to submitting this proposed rulemaking, the Department has provided IRRC and the House and Senate Committees with a copy of a detailed

Regulatory Analysis Form prepared by the Department. A copy of this material is available to the public upon request.

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

J. Public Comments

Interested persons are invited to submit to the Board written comments, suggestions, support or objections regarding this proposed rulemaking. Comments, suggestions, support or objections must be received by the Board by April 4, 2022.

Comments may be submitted to the Board online by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>.

Comments may also be submitted by e-mail to RegComments@pa.gov. A subject heading of this proposed rulemaking and a return name and address must be included in each transmission.

If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Comments may also be submitted to the Board by mail or express mail. Written comments should be mailed to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

K. Public Hearings

The Board will hold three public hearings for the purpose of accepting comments on this proposed rulemaking. The hearings will be held at 1 p.m. on the following dates:

- March 1, 2022 Department of Environmental Protection
Rachel Carson State Office Building
Room 105
400 Market Street
Harrisburg, PA 17101
- March 3, 2022 Department of Environmental Protection
Southwest Regional Office
Building 500
Waterfront Conference Room B
400 Waterfront Drive
Pittsburgh, PA 15222
- March 4, 2022 Department of Environmental Protection
Southeast Regional Office
Delaware Conference Room
2 East Main Street
Norristown, PA 19401

Persons wishing to present testimony at a hearing are requested to contact the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 783-8727, RA-EPEQB@pa.gov, at least 1 week in advance of

the hearing to reserve a time to present testimony. Language interpretation services are available upon request. Persons in need of language interpretation services must contact Jennifer Swan at (717) 783-8727 by 5 p.m. on February 22, 2022.

Verbal testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Board at (717) 783-8727 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs.

PATRICK McDONNELL,
Chairperson

Fiscal Note: 7-568. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE III. AIR RESOURCES

CHAPTER 121. GENERAL PROVISIONS

§ 121.1. Definitions.

The definitions in section 3 of the act (35 P.S. § 4003) apply to this article. In addition, the following words and terms, when used in this article, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Air dried coating—Coatings which are dried by the use of air or forced warm air at temperatures up to 194°F.

Air flask specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52 (relating to surface coating processes), Table I, category 12, a special composition coating that is:

(i) Applied to interior surfaces of high-pressure breathing air flasks to provide corrosion resistance.

(ii) Certified as safe for use with breathing air supplies.

Airless cleaning system—A solvent cleaning machine that is automatically operated and seals at a differential pressure of 0.50 pounds per square inch gauge (psig) or less, prior to the introduction of solvent or solvent vapor into the cleaning chamber and maintains differential pressure under vacuum during all cleaning and drying cycles.

Airless spray—A spray coating method in which the coating is atomized by forcing it through a small nozzle opening at high pressure. The coating is not mixed with air before exiting from the nozzle opening.

Air oxidation reactor—For purposes of § 129.71a (relating to control of VOC emissions from the synthetic organic chemical manufacturing industry—air oxidation, distillation and reactor processes):

(i) A device or process vessel in which one or more organic reactants are combined with air, or a combination of air and oxygen, to produce one or more organic compounds.

(ii) The term includes ammoxidation and oxychlorination reactions.

Air pollution—The presence in the outdoor atmosphere of any form of contaminant, including, but not limited to, the discharging from stacks, chimneys, openings, buildings, structures, open fires, vehicles, processes or any other source of any smoke, soot, fly ash, dust, cinders, dirt, noxious or obnoxious acids, fumes, oxides, gases, vapors, odors, toxic, hazardous or radioactive substances, waste or other matter in a place, manner or concentration inimical or which may be inimical to public health, safety or welfare or which is or may be injurious to human, plant or animal life or to property or which unreasonably interferes with the comfortable enjoyment of life or property.

* * * * *

Ambient air quality standards—Concentrations of air contaminants in the ambient air, as provided for in Chapter 131 (relating to ambient air quality standards).

Antenna specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating applied to equipment through which electromagnetic signals must pass for reception or transmission.

Antichafe coating—A coating applied to areas of moving aerospace components that may rub during normal operations or installation.

Antifoulant specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that is:

(i) Applied to the underwater portion of a vessel to prevent or reduce the attachment of biological organisms.

(ii) Registered with the EPA as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.A. §§ 136—136y).

Antique aerospace vehicle or component—An antique aircraft, as defined by 14 CFR Part 45 (relating to identification and registration marking), or components thereof. An antique aerospace vehicle would not routinely be in commercial or military service in the capacity for which it was designed.

* * * * *

Best available technology—Equipment, devices, methods or techniques as determined by the Department which will prevent, reduce or control emissions of air contaminants to the maximum degree possible and which are available or may be made available.

Bitumens—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, black or brown materials that consist mainly of hydrocarbons and are soluble in carbon disulfide.

Bituminous resin specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:

(i) A coating that incorporates bitumens as a principal component and is formulated primarily to be applied to a substrate or surface to resist ultraviolet radiation or water, or both.

(ii) The term is included in the specialty coating category “repair and maintenance of thermoplastic coating of commercial vessels.”

Blender—A person who owns, leases, operates, controls or supervises an oxygenate blending facility.

* * * * *

Closed-cycle depainting system—A dust free, automated process that removes a permanent coating in small sections at a time and maintains a continuous vacuum around the area being depainted to capture emissions.

Coal tar—A dark thick liquid that forms as a byproduct of the process of producing coke from coal.

Coal tar epoxy coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a black surface protection polymer that is a blend of various epoxy resins and coal tar used on surfaces subjected to extremely corrosive environments.

Coating—

(i) For purposes of wood furniture manufacturing operations under §§ 129.101—129.107, a protective, decorative or functional material applied in a thin layer to a surface.

(A) The term includes paints, topcoats, clear coats, varnishes, sealers, stains, washcoats, basecoats, inks and temporary protective coatings.

(B) The term does not include adhesives.

(ii) For purposes of paper, film and foil surface coating under § 129.52b (relating to control of VOC emissions from paper, film and foil surface coating processes), a material applied onto or impregnated into a substrate for decorative, protective or functional purposes.

(A) The term includes solvent-borne coatings, water-borne coatings, adhesives, wax coatings, wax laminations, extrusion coatings, extrusion laminations, 100% solid adhesives, UV-cured coatings, electron beam-cured coatings, hot melt coatings and cold seal coatings.

(B) The term does not include materials used to form unsupported substrates, such as calendaring of vinyl, blown film, cast film, extruded film and co-extruded film.

(iii) For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a material that is applied in a thin layer to a substrate and which cures to form a continuous solid film.

* * * * *

Cold shutdown—A cold repair or replacement of damaged or worn refractory parts of a glass melting furnace while the furnace does not contain molten glass.

Cold weather time period—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a time during which the ambient temperature is below 4.5°C (40°F) and coating is to be applied.

Combustion efficiency—A measure of the extent of a combustion reaction, abbreviated C. E. and computed as follows:

$$C. E. = \frac{[CO_2]}{[CO_2] + [CO]} \times 100\%$$

where: [CO₂] = concentration of carbon dioxide and [CO] = concentration of carbon monoxide

* * * * *

Container glass—Glass manufactured by pressing, blowing in molds, drawing, rolling or casting which is used as a container.

Container of coating—The bucket, pot, can or other holder from which the coating is applied.

Continuous coater—A surface coating process that continuously applies coatings onto parts moving along a conveyor. Coatings that are not transferred to the part are recycled to a reservoir. Several types of application methods can be used with a continuous coater including spraying, curtain coating, roller coating, dip coating and flow coating.

* * * * *

Cryoprotective coating—A coating applied to aerospace vehicles or components that:

(i) Insulates cryogenic or subcooled surfaces to limit propellant boil-off.

(ii) Maintains structural integrity of metallic structures during ascent or reentry.

(iii) Prevents ice formation.

Cure volatile—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:

(i) A reaction product which is emitted during the chemical reaction which takes place in some coating films at the cure temperature.

(ii) The reaction product emissions are other than those from the solvents in the coating and may, in some cases, comprise a significant portion of total VOC or HAP emissions, or both.

Curtain coating—The application of a coating to an object by moving the object through a falling curtain of coating.

* * * * *

Dispersion technique—An attempt to affect the concentration of a pollutant in the ambient air by methods contained in 40 CFR 51.100(gg)—(kk) (relating to definitions).

Distillation operation—For purposes of § 129.71a:

(i) A process that separates one or more feed streams into two or more exit streams, with each exit stream having component concentrations different from those in the feed streams.

(ii) The separation is achieved by the redistribution of the components between the liquid phase and vapor phase as they approach equilibrium within the distillation unit.

Distributor—

(i) A person who transports, stores or causes the transportation or storage of gasoline at any point between a refinery, blending facility or terminal and a retail outlet or wholesale purchaser-consumer’s facility.

(ii) For purposes of § 123.22 (relating to combustion units), a person who transports, stores or causes the transportation or storage of commercial fuel oil at any point between a refinery, blending facility or terminal and a retail outlet, wholesale purchaser-consumer’s facility or ultimate consumer.

(iii) The term includes a refinery, a blending facility or a terminal.

* * * * *

Engineered wood panel product—A derivative wood product that is manufactured by binding together the strands, particles, fibers or veneers of wood with adhesives, resins, other coatings or additives, or a combination of these, to form a composite material. The manufacturing process may also use heat or pressure, or both, to form the product. The product is manufactured to precise design specifications which are tested to meet National or international standards.

Epoxy coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a thermoset coating formed by reaction of a resin containing a reactive epoxide with a curing agent.

Epoxy polyamide topcoat—A coating applied to aerospace vehicles or components when harder films are required or in some areas where engraving is accomplished in camouflage colors.

* * * * *

General plan approval—A plan approval issued for a category of stationary air contamination sources that the Department determines are similar in nature and that can be adequately regulated using standardized specifications and conditions.

General use coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:

(i) **A coating that is not a specialty coating.**

(ii) **The term includes coal tar epoxy coating.**

Generation—With respect to ERCs, an action taken by an owner or operator of an air contamination source, emissions unit or facility that results in the actual reduction of emissions.

* * * * *

Heat input—Heat derived from the combustion of fuel in a NO_x affected source. The term does not include the heat derived from preheated combustion air, recirculated flue gas or exhaust from another source or combination of sources.

Heat resistant specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that must withstand a temperature of at least 204°C (400°F) during normal use.

Heatset—An operation in which heat is required to evaporate ink oils from the printing inks that are applied to the substrate.

* * * * *

Heavy-duty diesel vehicle—A diesel-powered motor vehicle with a GVWR of greater than 14,000 pounds.

High-gloss specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that achieves at least 85% reflectance on a 60° meter when tested by ASTM Method D-523, “Standard Test Method for Specular Gloss.”

High temperature coating—[An] For purposes of § 129.73, an aerospace vehicle or component coating designed to withstand temperatures of more than 350°F.

High-temperature specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that must withstand a temperature of at least 426°C (800°F) during normal use.

High volume-low pressure spray—The application of a coating by means of a gun which operates between 0.1 and 10.0 psig air pressure.

* * * * *

Inner zone of the Southeast Pennsylvania air basin—Philadelphia County; the following political subdivision in Bucks County: Bensalem Township, Bristol Borough, Bristol Township, Falls Township, Morrisville Borough and Tullytown Borough; the following political subdivisions in Montgomery County: Abington Township, Bridgeport Borough, Bryn Athyn Borough, Cheltenham Township, Conshohocken Borough, East Norriton Township, Jenkintown Borough, Lower Merion Township, Lower Moreland Township, Narberth Borough, Norristown Borough, Plymouth Township, Rockledge Borough, Springfield Township, Upper Merion Township, West Conshohocken Borough, West Norriton Township and Whitmarsh Township; and all of Delaware County except for Bethel Township, Birmingham Township, Chester Heights Borough, Concord Township, Edgemont Township, Newton Township and Thornbury Township.

Inorganic zinc (high-build) primer specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that:

(i) **Contains 960 g/l (8 lb/gal) or more of elemental zinc incorporated into an inorganic silicate binder that is applied to steel to provide galvanic corrosion resistance.**

(ii) **Is typically applied at more than 2 mils dry film thickness.**

Insulation covering—Material that is applied to foam insulation to protect the insulation from mechanical or environmental damage.

* * * * *

LDT—light-duty truck—

(i) For purposes of § 129.52 [**(relating to surface coating processes)**], a light-duty truck is a motor vehicle rated at 8,500 pounds gross vehicle weight or less which is designed primarily for purposes of transportation or major components of the vehicle, including, but not limited to, chassis, frames, doors and engines.

(ii) For purposes of Chapter 126, Subchapter D (relating to the Pennsylvania Clean Vehicles Program), a light-duty truck is a motor vehicle rated at 8,500 pounds gross vehicle weight or less which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use.

* * * * *

Marine deck sealant or marine deck sealant primer—A sealant or sealant primer labeled for application to wooden marine decks.

Maximum allowable thinning ratio—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, the maximum volume of thinner that can be added per volume of coating without violating the applicable VOC limit in § 129.52, Table I, category 12.

Maximum heat input capacity—The maximum steady state heat input under which a source may be operated as determined by its physical design and characteristics.

Maximum heat input capacity is expressed in millions of British Thermal Units (MMBtu) per unit of time.

* * * * *

Metalized epoxy coating—A coating applied to aerospace vehicles or components that contains relatively large quantities of metallic pigmentation for appearance or added protection, or both.

Military exterior specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:

(i) An exterior topcoat applied to a military or U.S. Coast Guard vessel that is subject to specific chemical, biological or radiological washdown requirements.

(ii) The term is also known as a chemical agent resistant coating.

Minor operating permit modification—A change to incorporate de minimis conditions and other insignificant physical changes to a source or applicable requirements into an existing permit or a change that does not require plan approval but which contravenes an express permit term. The term does not include the following:

* * * * *

Miscellaneous metal parts and products—Items made of ferrous or nonferrous metals, including large farm machinery, small farm machinery, small appliances, commercial and industrial machinery, fabricated metal products and items listed under the Standard Industrial Classification Codes 3300—3999. The term does not include cans, coils, automobiles, light-duty trucks, metal furniture, magnet wire, large appliances, aerospace vehicles or components and automobile refinishing and customized top coating of automobiles and trucks, if production since January 1, 1987, has not exceeded 34 vehicles per day.

Mist specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a low viscosity, thin film, epoxy coating applied to an inorganic zinc primer that penetrates the porous zinc primer and allows the occluded air to escape through the paint film prior to curing.

Mobile air contamination source—An air contamination source, including, but not limited to, automobiles, trucks, tractors, buses and other motor vehicles; railroad locomotives; ships, boats and other waterborne craft. The term does not include a source mounted on a vehicle, whether the mounting is permanent or temporary, which source is not used to supply power to the vehicle.

* * * * *

Natural-finish hardwood plywood panel—A panel on which the original grain pattern is enhanced by an essentially transparent finish frequently supplemented by filler and toner.

Navigational aids specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating applied to a U.S. Coast Guard buoy or other U.S. Coast Guard waterway marker when it is recoated aboard ship at its usage site and immediately returned to the water.

Necessary preconstruction approvals or permits—Those permits or approvals required under the Clean Air Act or the act and regulations adopted under the acts, which are part of the applicable SIP.

* * * * *

Non-Phase 2 outdoor wood-fired boiler—An outdoor wood-fired boiler that has not been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million Btu output or lower and is labeled accordingly.

Nonskid specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating applied to the horizontal surfaces of a marine vessel for the specific purpose of providing slip resistance for personnel, vehicles or aircraft.

Nonspecific particulate matter—Particulate matter which is nonodorous and nonirritating, including, but not limited to, alundum, calcium carbonate, cellulose, portland cement, graphite, gypsum, limestone, magnesite, starch, tin oxide and glycerine mist.

Nonstructural adhesive—An adhesive applied to aerospace vehicles or components that bonds nonload bearing aerospace components in noncritical applications and is not included in any other specialty adhesive categories.

Nonvolatiles—Substances that do not evaporate readily. The term:

(i) Refers to the film-forming material of a coating.

(ii) Is also known as solids.

Normally closed—A container or piping system that remains closed unless an operator is actively engaged in adding or removing material.

Normally closed container—A container that is closed unless an operator is actively engaged in activities such as emptying or filling the container.

Northeast Ozone Transport Region—The ozone transport region which includes this Commonwealth as established by section 184(a) of the Clean Air Act.

Nuclear specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:

(i) A protective coating used to seal porous surfaces such as steel or concrete that otherwise would be subject to intrusion by radioactive materials.

(ii) The coating must meet the following:

(A) Be resistant to long-term (service life) cumulative radiation exposure (ASTM D4082-89, "Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants").

(B) Be relatively easy to decontaminate.

(C) Be resistant to various chemicals to which the coating is likely to be exposed (ASTM D 3912-80, reapproved 1989, "Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants").

O₂—Oxygen.

* * * * *

Operating parameter value—A minimum or maximum value established for a control [equipment] device or process parameter that, if achieved by itself or in combination with one or more other operating parameter values, determines whether an owner or operator has complied with an applicable emission limitation **or standard**.

* * * * *

Organic liquid cargo vessel—A tanker, freighter, barge, vessel, ship or boat used for the bulk transport of organic liquid cargo.

Organic zinc specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating derived from zinc dust incorporated into an organic binder that contains more than 960 g/l (8 lb/gal) of elemental zinc, as applied, and that is used for the express purpose of corrosion protection.

Outdoor floor covering installation adhesive—An adhesive intended by the manufacturer for use in the installation of floor covering that is both of the following:

- (i) Not in an enclosure.
- (ii) Exposed to ambient weather conditions during normal use.

* * * * *

Plastics—Synthetic materials chemically formed by the polymerization of organic (carbon-based) substances. Plastics are usually compounded with modifiers, extenders or reinforcers and are capable of being molded, extruded, cast into various shapes and films or drawn into filaments.

Pleasure craft—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a marine or fresh-water vessel used by an individual for noncommercial, nonmilitary or recreational purposes that is less than 20 meters in length, including a vessel rented exclusively to or chartered for individuals for such purposes.

Plywood—A structural material made of layers of laminated plies of veneers or layers of wood glued together, usually with the grains of adjoining layers at right angles to each other.

* * * * *

Pretreatment coating—An organic coating that contains at least 0.5% acids by weight and is applied directly to metal surfaces of aerospace vehicles and components to provide surface etching, corrosion resistance, adhesion and ease of stripping.

Pretreatment wash primer specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that contains a minimum of 0.5% acid, by mass, and is applied only to bare metal to etch the surface and enhance adhesion of a subsequent coating.

Primary furnace combustion system—The burners in a glass melting furnace that are used during production of glass.

* * * * *

Process heater—

(i) An enclosed device using controlled flame, that is not a boiler, the primary purpose of which is to transfer heat to a process material or to a heat transfer material for use in a process unit.

(ii) The term does not include an enclosed device that meets either of the following circumstances:

- (A) Has the primary purpose of generating steam.
- (B) In which the material being heated is in direct contact with the products of combustion, including:
 - (I) A furnace.
 - (II) A kiln.

(III) An unfired waste heat recovery heater.

(IV) A unit used for comfort heat, space heat or food preparation for onsite consumption.

(V) An autoclave.

Process vent—For purposes of § 129.71a, the point of discharge to the atmosphere or the point of entry into a control device of a gas stream from a unit operation subject to § 129.71a.

Project—A physical change in or change in the method of operation of an existing facility, including a new emissions unit.

* * * * *

Reactor—A vat or vessel, which may be jacketed to permit temperature control, designed to contain chemical reactions.

Reactor process—For purposes of § 129.71a, a unit operation in which one or more chemicals or reactants other than air are combined or decomposed in a way that their molecular structures are altered and one or more new organic compounds are formed.

Reading air basin—The political subdivisions in Berks County of Bern Township, Cumru Township, Kenhorst Borough, Laureldale Borough, Leesport Borough, Lower Alsace Township, Mohnton Borough, Mt. Penn Borough, Muhlenberg Township, City of Reading, Shillington Borough, Sinking Spring Borough, Spring Township, St. Lawrence Borough, Temple Borough, West Lawn Borough, West Reading Borough, Wyomissing Borough and Wyomissing Hills Borough.

* * * * *

Renewal—The process by which a permit may be reissued at the end of its term.

Repair and maintenance of thermoplastic coating of commercial vessels specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:

(i) A vinyl, chlorinated rubber or bituminous resin coating that is applied over the same type of existing coating to perform the partial recoating of an in-use commercial vessel.

(ii) The term does not include coal tar epoxy coating, which is considered a “general use” coating.

Replacement source—A new source which is replacing a NO_x affected source where both sources are under common ownership located within this Commonwealth. The NO_x affected source shall be deactivated or permitted only as an emergency standby unit to the replacement source with operation limited to a maximum of 500 hours per year following commencement of operation of the replacement source.

* * * * *

Rubber-based adhesive—A quick setting contact cement applied to [aerospace] aerospace vehicles and components that provides a strong, yet flexible, bond between two mating surfaces that may be of dissimilar materials.

Rubber camouflage specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, an epoxy coating formulated for use as a camouflage topcoat for exterior submarine hulls and sonar domes.

SCAQMD—South Coast Air Quality Management District—The California regional government agency responsible for air pollution control in Los Angeles and Orange counties and parts of Riverside and San Bernardino counties.

* * * * *

Sealant—

(i) For purposes of § 129.73:

(A) A material used to prevent the intrusion of water, fuel, air or other liquids or solids from certain areas of aerospace vehicles or components.

(B) There are two categories of sealants:

(I) Extrudable/rollable/brushable sealants.

(II) Sprayable sealants.

(ii) For purposes of § 129.77 and Chapter 130, Subchapter D:

(A) A material with adhesive properties that is formulated primarily to fill, seal, waterproof or weatherproof gaps or joints between two surfaces.

(B) The term includes caulks.

Sealant for thermal spray aluminum specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, an epoxy coating applied to a thermal spray aluminum surface at a maximum film thickness of 1 dry mil.

Sealant primer—A product intended by the manufacturer for application to a substrate, prior to the application of a sealant, to enhance the bonding surface.

* * * * *

Sheet-fed printing—A printing process in which individual sheets of substrate are fed sequentially to the printing press.

Ship—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a marine or freshwater vessel used for military or commercial operations.

(i) **The term includes the following:**

(A) **Barges.**

(B) **Commercial cargo and container vessels.**

(C) **Commercial passenger and cruise vessels.**

(D) **Dredges.**

(E) **Ferries.**

(F) **U.S. Military and U.S. Coast Guard vessels.**

(G) **Navigational aids like buoys.**

(H) **Patrol and pilot boats.**

(I) **Self-propelled vessels.**

(J) **Tankers.**

(K) **Vessels propelled by other craft such as barges.**

(ii) **The term does not include the following:**

(A) **Offshore oil and gas drilling platforms.**

(B) **Pleasure craft.**

Shipbuilding and ship repair operation—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, the building, repair, repainting, converting or alteration of a ship.

Shutdown—For purposes of §§ 129.301—129.310, the period of time during which a glass melting furnace is taken from an operational to a non-operational status by allowing it to cool down from its operating temperature to a cold or ambient temperature as the fuel supply is turned off.

* * * * *

Space vehicle—A manmade device, either manned or unmanned, designed for operation beyond earth's atmosphere.

(i) The term includes integral equipment, such as models, mock-ups, prototypes, molds, jigs, tooling, hardware jackets and test coupons.

(ii) The term also includes auxiliary equipment associated with test, transport and storage, that through contamination can compromise the space vehicle performance.

Special marking specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that is used for safety or identification applications, such as ship numbers and markings on flight decks.

Specialty coating—[A]

(i) **For purposes of § 129.73, a coating applied to aerospace vehicles or components that, even though it meets the definition of a primer, topcoat or self-priming topcoat, has additional performance criteria beyond those of primers, topcoats and self-priming topcoats for specific applications. These performance criteria [may include, but are not limited to,] include temperature or fire resistance, substrate compatibility, antireflection, temporary protection or marking, sealing, adhesively joining substrates or enhanced corrosion protection.**

(ii) **For purposes of shipbuilding and ship repair coatings under § 129.52, a coating that is manufactured or used for one of the specialized shipbuilding and ship repair coating applications listed in Table I, coating categories 12(ii)(a)—(v).**

Specialty interior coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating used on an interior surface aboard a U.S. military vessel that is required to meet specified fire retardant and low toxicity requirements in addition to the other applicable military physical and performance requirements.

Specialized function coating—A coating applied to aerospace vehicles or components that fulfills extremely specific engineering requirements that are limited in application and are characterized by low volume usage. This category excludes coatings included in other specialty coating categories.

* * * * *

TPY—Tons per year.

Tack specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a thin film epoxy coating applied at a maximum film thickness of 2 dry mils to prepare an epoxy coating that has dried beyond the time limit specified by the manufacturer for the application of the next coat.

Tank car—A rail car which is used for transporting liquids in bulk in an unpackaged form.

* * * * *

Thinner—

(i) A volatile liquid that is used to dilute coatings (to reduce viscosity, color strength or solids content or to modify drying conditions).

(ii) For purposes of shipbuilding and ship repair coatings under § 129.52, a liquid that is used to reduce the viscosity of a coating and that evaporates before or during the cure of a film.

(iii) The term includes diluent, makeup solvent, **thinning solvent** or reducer.

Thinning ratio—The volumetric ratio of thinner to coating, as supplied.

Tileboard—A premium interior wall paneling product made of hardboard that is used in high moisture areas of the home, including kitchens and bathrooms, and which meets the specifications for Class I hardboard approved by the American National Standards Institute.

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Undersea-based weapons systems components—The fabrication of parts, parts assembly or completed units of a portion of a missile launching system used on undersea ships.

Undersea weapons systems specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating applied to a component of a weapons system intended to be launched or fired from under the surface of the sea.

Undertread cementing—The application of a solvent-based cement to the underside of a tire tread.

* * * * *

Web printing—A printing process in which continuous rolls of substrate material are fed to the printing press and rewound or cut to size after printing.

Weld-through preconstruction primer specialty coating—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:

- (i) **A coating that:**
 - (A) **Provides corrosion protection for steel during inventory.**
 - (B) **Is typically applied at less than 1 mil dry film thickness.**
 - (C) **Is temperature resistant (burn back from a weld is less than 1.25 centimeters (0.5 inch)).**
 - (D) **Does not require removal prior to welding.**
 - (E) **Does not normally require removal before applying film-building coatings, including an inorganic zinc (high-build) primer specialty coating.**

(ii) **When constructing new vessels, there may be a need to remove areas of this type of coating due to surface damage or contamination prior to application of film-building coatings.**

Wet fastener installation coating—A primer or sealant applied to aerospace vehicles or components by dipping, brushing or daubing on fasteners which are installed before the coating is cured.

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CHAPTER 129. STANDARDS FOR SOURCES

SOURCES OF VOCs

§ 129.52. Surface coating processes.

(a) This section applies **as follows** to **the owner and operator of a [surface]:**

(1) **Surface coating process category listed in Table I, categories 1–11,** regardless of the size of the facility, which emits or has emitted VOCs into the outdoor atmosphere in quantities greater than 3 pounds (1.4 kilograms) per hour, 15 pounds (7 kilograms) per day or 2.7 tons (2,455 kilograms) per year during any calendar year since January 1, 1987.

(2) **Shipbuilding or ship repair facility that has a surface coating operation that uses or applies more than 264 gallons of one or a combination of coatings listed in Table I, category 12, beginning** (*Editor's Note: The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.*)

* * * * *

(c) **[A] The owner or operator of a** facility, regardless of the facility's annual emission rate, which contains surface coating processes shall maintain records sufficient to demonstrate compliance with this section. At a minimum, a facility shall maintain daily records of:

(1) The following parameters for each coating, thinner and other component as supplied:

- (i) The coating, thinner or component name and identification number.
- (ii) The volume used.
- (iii) The mix ratio.
- (iv) The density or specific gravity.
- (v) The weight percent of total volatiles, water, solids and exempt solvents.
- (vi) The volume percent of solids for Table I surface coating process categories 1–10.

(vii) **The volume percent of solids for a Table I surface coating process category 12 coating whose VOC content is expressed in units of weight of VOC per volume of coating solids.**

(2) The VOC content of each coating, thinner and other component as supplied.

* * * * *

Table I
Emission Limits of VOCs in Surface Coatings by Process Category
Weight of VOC per Volume of Coating Solids

<i>Surface Coating Process Category</i>	<i>lbs VOC per gal coating solids</i>	<i>kg VOC per liter coating solids</i>
1. Can coating		
(a) sheet basecoat	4.62	0.55
(b) can exterior	4.62	0.55
(c) interior body spray	10.05	1.20
(d) two piece can end exterior	10.05	1.20
(e) side-seam spray	21.92	2.63
(f) end sealing compound	7.32	0.88
2. Coil coating	4.02	0.48
3. Fabric coating	4.84	0.58
4. Vinyl coating	7.69	0.92
5. Paper coating	4.84	0.58
6. Automobile and light duty truck coating		
(a) prime coat	2.60	0.31
(b) top coat	4.62	0.55
(c) repair	14.14	1.69
7. Metal furniture coating	5.06	0.61
8. Magnet wire coating	2.16	0.26
9. Large appliance coating	4.62	0.55
Categories 1—9 were adopted on April 17, 1979		
10. Miscellaneous metal parts & products		
(a) top coats for locomotives and heavy-duty trucks	6.67	0.80
(b) hopper car and tank car interiors	6.67	0.80
(c) pail and drum interiors	10.34	1.24
(d) clear coatings	10.34	1.24
(e) air-dried coatings	6.67	0.80
(f) extreme performance coatings	6.67	0.80
(g) all other coatings	5.06	0.61
Category 10 was adopted on April 21, 1981		

Weight of VOC per Weight of Coating Solids

	<i>lbs VOC per lb coating solids</i>	<i>kg VOC per kg coating solids</i>
11. Wood furniture manufacturing operations		
(a) Topcoats and enamels	3.0	3.0
(b) Washcoat	14.3	14.3
(c) Final repair coat	3.3	3.3
(d) Basecoats	2.2	2.2
(e) Cosmetic specialty coatings	14.3	14.3
(f) Sealers	3.9	3.9
Category 11 was adopted on May 7, 1988		

12. Shipbuilding and ship repair coatings

Weight of VOC per Volume of Coating Less Water and Exempt Compounds^{a b}

	<i>lbs VOC per gallon coating less water and exempt compounds</i>	<i>grams VOC per liter coating less water and exempt compounds</i>
(i) General use, including coal tar epoxy coatings	<u>2.83</u>	<u>340</u>
(ii) Specialty coating		
(a) Air flask	<u>2.83</u>	<u>340</u>
(b) Antenna	<u>4.42</u>	<u>530</u>
(c) Antifoulant	<u>3.33</u>	<u>400</u>
(d) Heat resistant	<u>3.50</u>	<u>420</u>
(e) High-gloss	<u>3.50</u>	<u>420</u>
(f) High-temperature	<u>4.17</u>	<u>500</u>
(g) Inorganic zinc high build primer	<u>2.83</u>	<u>340</u>
(h) Military exterior	<u>2.83</u>	<u>340</u>
(i) Mist	<u>5.08</u>	<u>610</u>
(j) Navigational aids	<u>4.58</u>	<u>550</u>
(k) Nonskid	<u>2.83</u>	<u>340</u>
(l) Nuclear	<u>3.50</u>	<u>420</u>
(m) Organic zinc	<u>3.00</u>	<u>360</u>
(n) Pretreatment wash primer	<u>6.50</u>	<u>780</u>
(o) Repair and maintenance of thermoplastic coating of commercial vessels	<u>4.58</u>	<u>550</u>
(p) Rubber camouflage	<u>2.83</u>	<u>340</u>
(q) Sealant for thermal spray aluminum	<u>5.08</u>	<u>610</u>
(r) Special marking	<u>4.08</u>	<u>490</u>
(s) Specialty interior	<u>2.83</u>	<u>340</u>
(t) Tack	<u>5.08</u>	<u>610</u>
(u) Undersea weapons systems	<u>2.83</u>	<u>340</u>
(v) Weld-through preconstruction primer	<u>5.42</u>	<u>650</u>

Weight of VOC per Volume of Coating Solids^c

	<i>At temperature less than 4.5°C (40°F)^d</i>		<i>At temperature equal to or greater than 4.5°C (40°F)</i>	
	<i>lbs VOC per gallon coating solids</i>	<i>grams VOC per liter coating solids</i>	<i>lbs VOC per gallon coating solids</i>	<i>grams VOC per liter coating solids</i>
(i) General use, including coal tar epoxy coatings	<u>6.07</u>	<u>728</u>	<u>4.76</u>	<u>571</u>
(ii) Specialty coating				
(a) Air flask	<u>6.07</u>	<u>728</u>	<u>4.76</u>	<u>571</u>
(b) Antenna	<u>12.01</u>	<u>1,439</u>	<u>12.01</u>	<u>1,439</u>
(c) Antifoulant	<u>8.10</u>	<u>971</u>	<u>6.38</u>	<u>765</u>
(d) Heat resistant	<u>8.92</u>	<u>1,069</u>	<u>7.02</u>	<u>841</u>
(e) High-gloss	<u>8.92</u>	<u>1,069</u>	<u>7.02</u>	<u>841</u>
(f) High-temperature	<u>13.33</u>	<u>1,597</u>	<u>10.32</u>	<u>1,237</u>
(g) Inorganic zinc high build primer	<u>6.07</u>	<u>728</u>	<u>4.76</u>	<u>571</u>
(h) Military exterior	<u>6.07</u>	<u>728</u>	<u>4.76</u>	<u>571</u>
(i) Mist	<u>18.64</u>	<u>2,235</u>	<u>18.64</u>	<u>2,235</u>
(j) Navigational aids	<u>13.33</u>	<u>1,597</u>	<u>13.33</u>	<u>1,597</u>
(k) Nonskid	<u>6.07</u>	<u>728</u>	<u>4.76</u>	<u>571</u>
(l) Nuclear	<u>8.92</u>	<u>1,069</u>	<u>7.02</u>	<u>841</u>

	<i>At temperature less than 4.5°C (40°F) ^a</i>		<i>At temperature equal to or greater than 4.5°C (40°F)</i>	
(m) Organic zinc	6.69	802	5.26	630
(n) Pretreatment wash primer	92.58	11,095	92.58	11,095
(o) Repair and maintenance of thermo-plastic coating of commercial vessels	13.33	1,597	13.32	1,597
(p) Rubber camouflage	6.07	728	4.76	571
(q) Sealant for thermal spray aluminum	18.65	2,235	18.65	2,235
(r) Special marking	9.83	1,178	9.83	1,178
(s) Specialty interior	6.07	728	4.76	571
(t) Tack	18.65	2,235	18.65	2,235
(u) Undersea weapons systems	6.07	728	4.76	571
(v) Weld-through preconstruction primer	24.07	2,885	24.07	2,885

^a The limits are expressed in two sets of equivalent units: pounds (lbs) per gallon and grams per liter. Either set of limits may be used to demonstrate compliance.

^b To convert from grams per liter to pounds (lbs) per gallon, multiply the limit by (3,785 liter/gallon) (1/453.6 pound/gram) or 1/120. For compliance purposes, metric units define the standards.

^c VOC limits expressed in units of mass of VOC per volume of solids were derived from the VOC limits expressed in units of mass of VOC per volume of coating less water and exempt compounds by assuming the coating contains no water or exempt compounds and that the volumes of all components within the coating are additive.

^d These limits apply during cold weather time periods, that is, temperatures below 4.5°C (40°F). Cold weather allowances are not given to coatings in categories that allow less than 40% solids (nonvolatiles) content by volume. These coatings are subject to the single limit regardless of weather conditions and temperatures.

Category 12 was adopted on (Editor's Note: The blank refers to the effective date of this rulemaking, when published as a final-form rule-making.).

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

§ 129.63b. Control of VOC emissions from large petroleum dry cleaning facilities.

(a) *Applicability.* This section applies Statewide to the owner and operator of a petroleum solvent washer, dryer, solvent filter, settling tank, vacuum still and other containers and conveyors of petroleum solvent that are used in petroleum dry cleaning facilities that consume 123,000 liters (32,493 gallons) or more of petroleum solvent annually.

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

Cartridge filter—A perforated canister containing filtration paper or activated carbon, or both, that is used in a pressurized system to remove solid particles and fugitive dyes from soil-laden solvent.

Consume—The amount of petroleum solvent purchased less the amount of petroleum solvent sent for disposal or returned for recycling during a calendar year.

Containers and conveyors of solvent—Piping, ductwork, pumps, storage tanks and other ancillary equipment that are associated with the installation and operation of petroleum dry cleaning washers, dryers, filters, stills and settling tanks.

Dry cleaning—A process for the cleaning of textiles and fabric products in which articles are washed in a nonaqueous solution (solvent) and then dried by exposure to a heated air stream.

Perceptible leak—A petroleum solvent vapor or liquid leak that is conspicuous from visual observation. The term includes the following:

- (i) A pool or droplet of petroleum solvent liquid.
- (ii) A bucket or barrel of petroleum solvent or petroleum solvent-laden waste standing open to the atmosphere.

Petroleum solvent—A group of organic materials produced by petroleum distillation comprising a hydrocarbon range of 8 to 12 carbon atoms per organic molecule that exists as a liquid under standard conditions.

Petroleum solvent recovery dryer—A class of dry-cleaning dryers that employs a condenser to liquify and recover petroleum solvent vapors evaporated in a closed-loop, recirculating stream of heated air.

(c) *Emission limitations.*

(1) The owner and operator of a petroleum dry cleaning dryer shall do one of the following:

- (i) Limit VOC emissions to the atmosphere to an average of 3.5 kilograms (kg) of VOC per 100 kg dry weight of articles dry cleaned.
- (ii) Install and operate a petroleum solvent recovery dryer in a manner that the dryer remains closed and the recovery phase continues until a final recovered solvent flow rate of 50 milliliters per minute is attained.

(2) The owner or operator of a petroleum solvent filtration system shall do one of the following:

- (i) Reduce the VOC content in filtration wastes to 1.0 kg or less per 100 kg dry weight of articles dry cleaned, before disposal and exposure to the atmosphere.
- (ii) Install and operate a cartridge filtration system and drain the filter cartridges in their sealed housings for 8 hours or more before their removal.

(3) The owner or operator of a petroleum dry cleaning dryer or petroleum solvent filtration system shall repair a petroleum solvent vapor or liquid leak within 3 working days after identifying the source of the leak.

(i) If the necessary repair part is not on hand to perform the repair, the owner or operator shall order the part within 3 working days following identification of the source of the leak.

(ii) The owner or operator shall repair the identified leak no later than 3 working days following the arrival of the necessary repair part ordered under subparagraph (i).

(d) *Compliance monitoring and testing requirements.* The owner or operator of a petroleum dry cleaning operation subject to this section shall demonstrate compliance as follows.

(1) To determine compliance with subsection (c)(1)(i), the owner or operator shall do the following:

(i) Calculate the weight of VOC vented from the dryer emission control device using EPA Reference Test Methods 1, 2 and 25A, with the following specifications:

(A) Field calibration of the flame ionization analyzer with propane standards.

(B) Laboratory determination of the ratio of the flame ionization analyzer response to a given parts per million by volume concentration of propane to the response to the same parts per million concentration of the VOC to be measured.

(C) Determination of the weight of VOC emissions vented to the atmosphere by performing the following:

(I) Multiplying the ratio determined in clause (B) by the measured concentration of VOC gas (as propane) as indicated by the flame ionization analyzer response output record.

(II) Converting the parts per million by volume value calculated in subclause (I) into a mass concentration value for the VOCs present.

(III) Multiplying the mass concentration value calculated in subclause (II) by the exhaust flow rate determined by using EPA Reference Test Methods 1 and 2.

(ii) Calculate the dry weight of articles dry cleaned.

(iii) Repeat subparagraphs (i) and (ii) for normal operating conditions that encompass at least 30 dryer loads which meet the following:

(A) Total not less than 1,800 kg dry weight.

(B) Represent a normal range of variations in fabrics, solvents, load weights, temperatures, flow rates and process deviations.

(2) To determine compliance with subsection (c)(1)(ii), the owner or operator shall verify that the flow rate of recovered solvent from the solvent recovery dryer at the termination of the recovery phase is no greater than 50 milliliters per minute by performing the following steps:

(i) Conducting a one-time procedure for a duration of no less than 2 weeks that:

(A) Monitors at least 50% of the dryer loads for their final recovered solvent flow rate.

(B) Measures the flow rate of recovered solvent from the solvent-water separator.

(I) Near the end of the recovery cycle, the flow of recovered solvent should be diverted to a graduated cylinder.

(II) Continue the cycle until the flow rate of the solvent is 50 milliliters per minute.

(ii) Recording the type of articles cleaned and the total length of the cycle measured in subparagraph (i).

(3) To determine compliance with subsection (c)(2)(i) and (ii), the owner or operator shall do the following:

(i) Calculate the weight of VOCs contained in each of five 1-kg samples of filtration waste material taken at intervals of 1 week, using ASTM Method D322-97 (Standard Test Method for Gasoline Diluent in Used Gasoline Engine Oils by Distillation).

(ii) Calculate the total dry weight of articles dry cleaned during the intervals between removal of filtration waste samples, as well as the total mass of filtration waste produced in the same period.

(iii) Calculate the weight of VOCs contained in filtration waste material per 100 kg dry weight of articles dry cleaned.

(4) To determine compliance with subsection (c)(3), the owner or operator shall perform weekly inspections of washers, dryers, solvent filters, settling tanks, vacuum stills and all containers and conveyors of petroleum solvent to identify a perceptible petroleum solvent vapor or liquid leak.

(e) *Recordkeeping and reporting requirements.* The owner or operator of a petroleum dry cleaning facility subject to this section shall maintain records sufficient to demonstrate compliance with this section, including:

(1) Records of the weight of VOC emissions vented from the dryer emission control device, calculated according to subsection (d)(1).

(2) Records of the dry weight of articles dry cleaned for use in the calculations in subsections (d)(1)–(3).

(3) Records of the weight of VOCs contained in the filtration waste samples required in subsection (d)(1)(i).

(4) Records of the weight of VOCs contained in the filtration waste material for each 220 lb (100 kg) dry weight of articles dry cleaned.

(f) *Exemption.* The owner or operator of a petroleum dry cleaning facility subject to subsection (a) claiming exemption from the requirements of subsections (c)–(e) shall maintain records of annual solvent consumption onsite for 5 years to demonstrate that the applicability threshold of subsection (a) has not been exceeded.

§ 129.71a. Control of VOC emissions from the synthetic organic chemical manufacturing industry—air oxidation, distillation and reactor processes.

(a) *Applicability.*

(1) Except as specified in paragraph (3), this section applies to the owner and operator of a synthetic organic chemical manufacturing facility that has a vent stream originating from a process unit in which an air oxidation unit process, distillation operation or reactor process produces one or more of the chemicals listed in Table 1 as a product, coproduct, byproduct or intermediate.

(2) For purposes of this section, reference to total organic compounds or TOC in 40 CFR Part 60, Subpart III (relating to standards of performance for volatile organic compound (VOC) emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) air oxidation unit processes), 40 CFR Part 60, Subpart NNN (relating to standards of performance for volatile organic compound (VOC) emissions from Synthetic Organic

Chemical Manufacturing Industry (SOCMI) distillation operations) or 40 CFR Part 60, Subpart RRR (relating to standards of performance for volatile organic compound (VOC) emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) reactor processes) shall be considered equivalent to VOC as defined in § 121.1 (relating to definitions).

(3) The owner and operator of a synthetic organic chemical manufacturing facility located in this Commonwealth that has a vent stream originating from a process unit in which an air oxidation unit process, distillation operation or reactor process produces one or more of the chemicals listed in Table 1 as a product, coproduct, byproduct or intermediate shall meet the requirements of this section unless more stringent requirements in an applicable permit or plan approval issued by the Department apply.

(b) *Standards.*

(1) *Process vents.* For a process vent that is subject to equivalent VOC control provisions under an existing 40 CFR Part 60 (relating to standards of performance for new stationary sources) or 40 CFR Part 63 (relating to National emission standards for hazardous air pollutants for source categories) standard, compliance with the requirements of the existing 40 CFR Part 60 or 63 standard shall constitute compliance with the provisions of this section.

(2) *Air oxidation unit processes.*

(i) The owner or operator of a source with an air oxidation unit process meeting the applicability criteria in subsection (a) shall comply with the requirements of 40 CFR Part 60, Subpart III unless the source has RACT control measures approved in a permit as part of the Commonwealth's Federally approved SIP prior to _____. (*Editor's Note:* The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.)

(ii) The exemption listed in 40 CFR 60.610(c) (relating to applicability and designation of affected facility) applies to an owner or operator subject to this section.

(iii) Notwithstanding 40 CFR 60.610, for purposes of this section:

(A) An affected source is one that meets the criteria in 40 CFR 60.610(a) regardless of the specific date of construction, modification or reconstruction of the source for a regulated chemical described in subsection (a)(1) and Table 1.

(B) The owner or operator of an affected source shall comply with this section no later than _____. (*Editor's Note:* The blank refers to the date 2 years after the effective date of this rulemaking, when published as a final-form rulemaking.)

(iv) Notwithstanding 40 CFR 60.615(a) (relating to reporting and recordkeeping requirements), each owner or operator subject to this section shall notify the Department no later than _____. (*Editor's Note:* The blank refers to the date 90 days after the effective date of this rulemaking, when published as a final-form rulemaking.), of the method by which the owner or operator of the affected source will comply with the applicable provisions of 40 CFR 60.612 (relating to standards).

(v) For purposes of this section, 40 CFR 60.616 and 40 CFR 60.618 (relating to reconstruction; and delegation of authority) are not applicable.

(vi) Notwithstanding 40 CFR 60.610(d)(4), 60.614(g) (relating to test methods and procedures), 60.615(c), 60.615(g) (but not 60.615(g)(1) or 60.615(g)(4)), and 60.615(j), a reference to the Administrator shall mean the Department.

(vii) Notwithstanding 40 CFR 60.614(c), the Department reserves the option to require testing at other times as may be required.

(3) *Distillation operations.*

(i) The owner or operator of a source with a distillation operation subject to subsection (a) shall comply with the requirements of 40 CFR Part 60, Subpart NNN.

(ii) The following exemptions apply:

(A) The exemptions listed in 40 CFR 60.660(c) (relating to applicability and designation of affected facility).

(B) The owner or operator of a distillation operation with a vent stream that has a total VOC concentration of less than 500 ppmv is subject only to the test method and procedure and the recordkeeping and reporting requirements specified in 40 CFR 60.660(c)(6) and not to the test method and procedure and the recordkeeping and reporting requirements of this section.

(iii) Notwithstanding 40 CFR 60.660, for purposes of this section:

(A) An affected source is one that meets the criteria in 40 CFR 60.660(a), regardless of the specific date of construction, modification or reconstruction of the source.

(B) A regulated chemical is one described in subsection (a)(1) and Table 1, rather than in 40 CFR 60.667 (relating to chemicals affected by subpart NNN).

(C) The owner or operator of an affected source shall comply with this section no later than _____. (*Editor's Note:* The blank refers to the date 2 years after the effective date of this rulemaking, when published as a final-form rulemaking.)

(iv) Notwithstanding 40 CFR 60.665(a) (relating to reporting and recordkeeping requirements), each owner or operator subject to this section shall notify the Department no later than _____. (*Editor's Note:* The blank refers to the date 90 days after the effective date of this rulemaking, when published as a final-form rulemaking.) of the method by which the owner or operator of the affected source will comply with the applicable provisions of 40 CFR 60.662 (relating to standards).

(v) For purposes of this section, 40 CFR 60.666 and 40 CFR 60.668 (relating to reconstruction; and delegation of authority) are not applicable.

(vi) Notwithstanding 40 CFR 60.660(d)(4), 60.664(g)(1) (relating to test methods and procedures), 60.665(c), 60.665(g) (but not 60.665(g)(1)(ii)), 60.665(l), 60.665(n) and 60.665(o), a reference to the Administrator shall mean the Department.

(vii) Notwithstanding 40 CFR 60.664(c), the Department reserves the option to require testing at other times as may be required.

(4) *Reactor processes.*

(i) The owner or operator of a source with a reactor process subject to subsection (a) shall comply with the requirements of 40 CFR Part 60, Subpart RRR.

(ii) The following exemptions apply:

(A) Exemptions listed in 40 CFR 60.700(c) (relating to applicability and designation of affected facility), except

that the cutoff for the vent stream flow rate shall be 0.0085 scm/min, not 0.011 scm/min as specified in 40 CFR 60.700(c)(4).

(B) The owner or operator of a reactor operation with a vent stream that has a total VOC concentration of less than 500 ppmv is subject only to the test method and procedure and the recordkeeping and reporting requirements specified in 40 CFR 60.700(c)(8), and not to the test method and procedure and recordkeeping and reporting requirements of this section.

(iii) Notwithstanding 40 CFR 60.700, for purposes of this section:

(A) An affected source is one that meets the criteria in 40 CFR 60.700(a), regardless of the specific date of construction, modification or reconstruction of the source.

(B) A regulated chemical is one described in subsection (a)(1) and Table 1 rather than in 40 CFR 60.707 (relating to chemicals affected by subpart RRR).

(C) The owner or operator of an affected source shall comply with this section no later than _____ (*Editor's*

Note: The blank refers to the date 2 years after the effective date of this rulemaking, when published as a final-form rulemaking.).

(iv) Notwithstanding 40 CFR 60.705(a) (relating to reporting and recordkeeping requirements), each owner or operator subject to this section shall notify the Department no later than _____ (*Editor's Note:* The blank refers to the date 90 days after the effective date of this rulemaking, when published as a final-form rulemaking.) of the method by which the owner or operator of the affected source will comply with the applicable provisions of 40 CFR 60.702 (relating to standards).

(v) For purposes of this section, 40 CFR 60.706 and 40 CFR 60.708 (relating to reconstruction and delegation of authority) are not applicable.

(vi) Notwithstanding 40 CFR 60.700(d)(4), 60.704(f)(1) (relating to test methods and procedures), 60.705(c), 60.705(f) (but not 60.705(f)(1)), 60.705(l), 60.705(n), 60.705(o), 60.705(p) and 60.705(r), a reference to the Administrator shall mean the Department.

(vii) Notwithstanding 40 CFR 60.704(b)(5)(iii), the Department reserves the option to require testing at other times as may be required.

Table 1. List of Regulated SOCM Chemicals

CAS No. ^a	Chemical name ^b	Reactor and Distillation CTG Chemicals	Air Oxidation CTG Chemicals	Distillation NSPS Chemicals	Reactor Process NSPS Chemicals	Air Oxidation NSPS Chemicals
	1,1,1-Tribromo-2-methyl-2-propanol	X				
584032	1,2 Butanediol	X				
28553-12-0	1,2-Benzenedicarboxylic acid diisononyl ester	X				
524-42-5	1,2-Naphthoquinone (particulate, vapor)		X			
	1,4-Dichloride	X				
109693	1-Chloro-4-nitrobenzene	X				
63-25-2	1-Naphthyl-N-methylcarbamate			X		
3071-32-7	1-phenylethyl hydroperoxide	X				
221-341-3	1-Phenylethyl hydroperoxide			X		
107-01-7	2-Butene				X	
110-65-6	2-Butyne-1, 4-diol				X	
26266682	2-Ethylhexanal			X		
53971-27-0	2-Hydroxy-1,2,3-propanetricarboxylic acid	X				
513-35-9	2-Methylbutenes, mixed	X				
	3-Hydroxybutyraldehyde	X				
617-94-7	a,a-Dimethyl Benzyl Alcohol (2-Phenyl-2-Propanol) (Vapor)		X			
	Acrylic esters	X				
67774-74-7	Alkyl benzene	X				
6358-15-2	Amino-3,4,6-trichlorophenol (2-)	X				
85-68-7	Butylbenzyl Phthalate				X	
1111-78-0	Carbamic acid, mono ammonium salt	X				
126-99-8	Chloroprene			X		
61789-31-9	Coconut oil acids, sodium salt	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
75-34-3	Dichloropropane (1,1-)	X				
85687	Di-n-heptyl-n-nonyl undecyl phthalate			X		
123-66-0	Ethyl caproate	X				
61790-45-2	Fatty acids, tall oil, sodium salt	X				
123013	Linear alkyl benzene	X				
67774-74-7	Linear alkylbenzene			X		
763-29-1	Methyl-1-pentene (2-)	X				
25377837	Octene -	X				
	Pentenenes, mixed	X				
463-49-0	Propadiene		X			
108-32-7	Propyl carbonate	X				
75-56-9	Propylene Oxide			X		
98-51-1	p-tert-Butyltoluene	X				
61790-32-7	Tallow acids, potassium salt	X				
0000057-13-6	Urea ammonium nitrate	X				
76131	(1,1,2-) Trichloro (1,2,2-) trifluoroethane	X		X	X	
104756	(2-Ethylhexyl) amine	X		X	X	
85687	1,2-Benzenedicarboxylic acid butyl, phenyl methyl ester -	X				
78875	1,2-diechloropropane	X				
110576	1,4-Dichlorobutene	X		X	X	
106989	1-Butene	X		X	X	
684255	1-Dodecene -	X				
872504	1-Methyl-2-pyrrolidone	X		X	X	
124118	1-Nonene	X				
25167673	1-Phenyl ethyl hydroperoxide	X		X	X	
3071-32-7	1-Phenylethyl hydroperoxide				X	
	2,2'-Iminobisethanol - 11422	X				
11466	2,2'-Oxybisethanol	X				
80568	2,6,6-Trimethylbicyclo (3,1,1) hept-2-ene	X				
78923	2-Butanol	X				
110656	2-Butene	X		X	X	
126998	2-Butyne-1,4-diol	X		X	X	
78897	2-Chloro-1-propanol	X				
1912249	2-Chloro-4-(ethylamino)-6-(isopropylamino)-S-triazine	X		X		
123057	2-Ethylhexanal -	X				
104767	2-Ethylhexanol (2-ethyl-1-hexanol)	X		X	X	
13042029	2-Hexenedinitrile	X		X		
64037543	3,4-Dichloro-1-butene	X		X	X	
1119853	3-Hexenedinrile	X		X		
4635874	3-Pentenitrile	X		X	X	
1912249	6-Chloro-N-ethyl-N'-(1-methylethyl)-1,3,5-triazine-2,4-diamine -	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
15547178	6-Ethyl-1,2,3,4-tetrahydro-9,10-antracenedione	X		X	X	
26952216	6-Methyl-heptanol -	X				
83329	Acenaphthene	X				
105577	Acetal (1,1-diethoxy-ethane)	X				
75070	Acetaldehyde -	X	X	X	X	X
107891	Acetaldol (3-hydroxy-butanal) -	X		X		
60355	Acetamide	X				
60355	Acetamides	X				
103844	Acetanilide	X				
64197	Acetic acid -	X	X	X	X	X
108247	Acetic anhydride -	X	X	X	X	
102012	Acetoacetanilide	X				
67641	Acetone -	X	X	X	X	X
75865	Acetone cyanohydrin -	X		X	X	
75058	Acetonitrile -		X			X
98862	Acetophenone -		X			X
75365	Acetyl chloride	X				
74862	Acetylene -	X		X	X	
79276	Acetylene tetrabromide (1,1,2,2-tetrabromomethane)	X				
107028	Acrolein -		X			X
79061	Acrylamide	X				
79107	Acrylic acid -	X	X	X	X	X
107131	Acrylonitrile -	X	X	X	X	X
124049	Adipic acid -	X		X	X	
111693	Adiponitrile -	X		X	X	
	Alcohols, C-11 or higher, mixtures -	X		X	X	
	Alcohols, C-11 or lower, mixtures -	X		X	X	
	Alcohols, C-12 or higher, unmixed	X				
	Alcohols, C-12 or higher, unmixed				X	
72480	Alizarin	X				
84651	Alkyl anthraquinones	X				
	Alkyl naphthalene sulfonates	X				
91203	Alkyl naphthalenes	X				
107186	Allyl alcohol	X				
106956	Allyl bromide	X				
107051	Allyl chloride	X		X	X	
109751	Allyl cyanide	X				
7360443	Aluminum acetate	X				
7429905	Aluminum formates	X				
1321115	Aminobenzoic acid	X				
111411	Aminoethylethanolamine	X				
123308	Aminophenol (p-isomer)	X				
96-67-3	Aminophenol sulfonic acid	X				
631618	Ammonium acetate	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
1762954	Ammonium thiocyanate	X				
	Amyl acetates	X				
71410	Amyl alcohol (n-) (1-pentanol)	X				
75854	Amyl alcohol (tert-)	X				
30899195	Amyl alcohols (mixed)	X				
543599	Amyl chloride (n-)	X				
	Amyl chlorides (mixed)	X				
693652	Amyl ether	X				
110587	Amylamines	X				
513359	Amylene	X		X	X	
	Amylenes, mixed	X		X	X	
62533	Aniline	X		X	X	
142041	Aniline hydrochloride	X				
90040	Anisidine (o-)	X				
100663	Anisole (methoxyl benzene)	X				
120127	Anthracene	X				
118923	Anthranilic acid	X				
84651	Anthraquinone -	X	X			X
25376458	ar-Methylbenzenediamine	X		X	X	
103333	Azobenzene	X				
543806	Barium acetate	X				
100527	Benzaldehyde -	X	X			X
55210	Benzamide	X				
71432	Benzene -	X	X	X	X	
98486	Benzenedisulfonic acid	X				
98113	Benzenesulfonic acid	X		X	X	
68081812	Benzenesulfonic acid C10-16-alkyl derivatives, sodium salts	X		X	X	
92875	Benzidine	X				
134816	Benzil	X				
76937	Benzillic acid	X				
91769	Benzoguanamine	X				
65850	Benzoic acid -	X	X	X		X
119539	Benzoin	X				
100470	Benzonitrile	X				
119619	Benzophenone	X				
98077	Benzotrichloride	X				
98884	Benzoyl chloride	X				
94360	Benzoyl peroxide	X				
140114	Benzyl acetate	X				
100516	Benzyl alcohol	X				
120514	Benzyl benzoate	X				
100447	Benzyl chloride	X		X	X	
98873	Benzyl dichloride	X				
100469	Benzylamine	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
1896624	Benzylideneacetone	X				
92524	Biphenyl	X		X		
542881	Bis(Chloromethyl)Ether	X				
80057	Bisphenol A	X		X	X	
	Brometone	X		X	X	
108861	Bromobenzene	X				
75252	Bromoform	X		X		
27497514	Bromonaphthalene	X				
106990	Butadiene (1,3-) -	X	X	X	X	X
	Butadiene and butene fractions	X		X	X	
106978	Butane -	X	X	X	X	
110634	Butanediol (1,4-)	X		X	X	
	Butanes, mixed	X		X	X	
	Butenes, mixed	X		X	X	
123864	Butyl acetate (n-) (Acetic Acid, butyl ester)	X		X	X	
105464	Butyl acetate (sec-)	X				
540885	Butyl acetate (tert-)	X				
141322	Butyl acrylate (n-)	X		X	X	
71363	Butyl alcohol (n-)	X		X	X	
78922	Butyl alcohol (sec-)	X		X	X	
75650	Butyl alcohol (tert-)	X		X	X	
136607	Butyl benzoate	X				
507200	Butyl chloride (tert-)	X				
75912	Butyl hydroperoxide (tert-)	X		X	X	
109795	Butyl mercaptan (n-)	X				
97881	Butyl methacrylate (n-)	X				
585-07-9	Butyl methacrylate (tert-)	X				
88186	Butyl phenol (tert-)	X				
109739	Butylamine (n-)	X				
13952846	Butylamine (s-)	X				
75649	Butylamine (t-)	X				
98066	Butylbenzene (tert-)	X				
98737	Butylbenzoic acid (p-tert-) -	X	X			X
85867	Butylbenzyl phthalate	X		X	X	
107880	Butylene glycol (1,3-)			X		
123728	Butyraldehyde (n-)	X		X	X	
107926	Butyric acid (n-) -	X	X			X
106310	Butyric anhydride (n-)	X		X	X	
96480	Butyrolactone—must be Butyrolactone	X				
109740	Butyronitrile	X				
62544	Calcium acetate	X				
4075814	Calcium propionate	X				
142621	Caproic acid	X				
105602	Caprolactam	X		X	X	

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
63252	Carbaryl	X				
86748	Carbazole	X				
75150	Carbon disulfide	X		X	X	
558134	Carbon tetrabromide	X		X		
56235	Carbon tetrachloride	X		X	X	
75730	Carbon tetrafluoride	X				
75876	Chloral	X				
2435532	Chloranil (o-chloranil)	X				
79118	Chloroacetic acid	X			X	
532274	Chloroacetophenone (2-)	X				
108429	Chloroaniline (m-)	X				
95512	Chloroaniline (o-)	X				
106478	Chloroaniline (p-)	X				
89985	Chlorobenzaldehyde (2-)	X				
587042	Chlorobenzaldehyde (3-)	X				
104881	Chlorobenzaldehyde (4-)	X				
108907	Chlorobenzene	X		X	X	
118912	Chlorobenzoic acid (2-)	X				
535808	Chlorobenzoic acid (3-)	X				
74113	Chlorobenzoic acid (4-)	X				
2136892	Chlorobenzotrichloride (o-)	X				
5216251	Chlorobenzotrichloride (p-)	X				
609654	Chlorobenzoyl chloride (o-)	X				
122010	Chlorobenzoyl chloride (p-)	X				
25497294	Chlorodifluoroethane	X				
75456	Chlorodifluoromethane	X			X	
	Chlorofluorocarbons	X				
67663	Chloroform	X		X	X	
	Chlorohydrin	X				
25586430	Chloronaphthalene	X				
121733	Chloronitrobenzene (m-)	X				
88733	Chloronitrobenzene (o-)	X				
100005	Chloronitrobenzene (p-)	X		X	X	
108430	Chlorophenol (m-)	X				
95578	Chlorophenol (o-)	X				
106489	Chlorophenol (p-)	X				
126998	Chloroprene -	X				
7790945	Chlorosulfonic acid	X				
108418	Chlorotoluene (m-)	X				
95498	Chlorotoluene (o-)	X				
106434	Chlorotoluene (p-)	X				
79389	Chlorotrifluoroethylene	X				
67481	Choline chloride	X				
218019	Chrysene	X				
140103	Cinnamic acid	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
77929	Citric acid	X		X	X	
	Cobalt acetate	X				
142712	Copper acetate	X				
108394	Cresol and cresylic acid (m-)	X				
95487	Cresol and cresylic acid (o-)	X				
106445	Cresol and cresylic acid (p-)	X				
1319773	Cresols and cresylic acids (mixed)	X				
4170300	Crotonaldehyde	X		X		
3724650	Crotonic acid -	X	X	X		X
98828	Cumene -	X	X	X	X	
80159	Cumene hydroperoxide -	X	X	X	X	X
420042	Cyanamide	X				
372098	Cyanoacetic acid	X				
	Cyanoformamide	X				
506774	Cyanogen chloride	X				
108805	Cyanuric acid	X				
108770	Cyanuric chloride	X		X	X	
110827	Cyclohexane -	X	X	X	X	
68512152	Cyclohexane, oxidized	X		X	X	
108930	Cyclohexanol -	X	X	X	X	X
108941	Cyclohexanone -	X	X	X	X	X
100641	Cyclohexanone oxime	X		X	X	
110838	Cyclohexene	X		X	X	
108918	Cyclohexylamine	X				
29965977	Cyclooctadiene	X				
3806595	Cyclooctadiene (1,3-)			X		
111784	Cyclooctadiene (1,5-)	X				
542-92-7	Cyclopentadiene (1,3-)	X				
75194	Cyclopropane	X		X	X	
91178	Decahydronaphthalene	X				
117828	Di(2-methoxyethyl) phthalate	X				
123422	Diacetone alcohol	X		X	X	
25260-60-0	Diacetoxy-2-Butene (1,4-)	X				
1087-21-4	Diallyl isophthalate	X				
131179	Diallyl phthalate	X				
27576041	Diaminobenzoic acids	X				
137097	Diaminophenol hydrochloride	X				
	Dibutanized aromatic concentrate	X		X		
17-83-9	Dibutoxyethyl phthalate	X				
760236	Dichloro-1-butene (3,4-)	X				
764410	Dichloro-2-butene (1,4-)	X				
27134276	Dichloroaniline (mixed isomers)	X				
541731	Dichlorobenzene (m-)	X				
95501	Dichlorobenzene (o-)	X				
106467	Dichlorobenzene (p-)	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
91941	Dichlorobenzidine (3,3'-)	X				
75718	Dichlorodifluoromethane	X		X	X	
75785	Dichlorodimethylsilane	X		X	X	
107062	Dichloroethane (1,2-) (Ethylene dichloride) (EDC) -	X	X			
111444	Dichloroethyl ether (bis(2-chloroethyl) ether)	X				
540590	Dichloroethylene (1,2-)	X				
75434	Dichlorofluoromethane	X		X	X	
96231	Dichlorohydrin (a-)	X		X		
99-54-7	Dichloronitrobenzenes	X				
628-76-2	Dichloropentanes	X				
120832	Dichlorophenol (2,4-)	X				
78999	Dichloropropane (1,1-)	X				
542756	Dichloropropene (1,3-)	X				
	Dichloropropene/dichloropropane (mixed)	X				
1320372	Dichlorotetrafluoroethane	X				
461585	Dicyandiamide	X				
101837	Dicyclohexylamine	X				
77736	Dicyclopentadiene	X				
111422	Dietholamine (2,2'-Iminodiethanol)			X	X	
84662	Diethyl phthalate	X				
64675	Diethyl sulfate	X				
109897	Diethylamine	X				
579668	Diethylaniline (2,6-)	X				
91667	Diethylaniline (N,N-)	X				
25340174	Diethylbenzene	X		X	X	
111466	Diethylene glycol	X		X	X	
112732	Diethylene glycol dibutyl ether	X				
112367	Diethylene glycol diethyl ether	X				
111966	Diethylene glycol dimethyl ether	X				
112345	Diethylene glycol monobutyl ether	X				
124174	Diethylene glycol monobutyl ether acetate	X				
111900	Diethylene glycol monoethyl ether	X				
112152	Diethylene glycol monoethyl ether acetate	X				
111773	Diethylene glycol monomethyl ether	X				
629389	Diethylene glycol monomethyl ether acetate	X				
75379	Difluoroethane (1,1-)	X				
25167708	Diisobutylene	X				
26761400	Diisodecyl phthalate	X		X	X	
28553120	Diisononyl phthalate	X		X		
27554263	Diisooctyl phthalate	X				
108189	Diisopropylamine	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
674828	Diketene (4-methylene-2-oxetanone) -	X	X			
115106	Dimethyl ether -	X	X			
131113	Dimethyl phthalate	X				
77781	Dimethyl sulfate	X				
75183	Dimethyl sulfide	X				
67685	Dimethyl sulfoxide	X				
120616	Dimethyl terephthalate -	X	X	X	X	X
127195	Dimethylacetamide (N,N-)	X				
124403	Dimethylamine	X		X		
108010	Dimethylaminoethanol (2-)	X				
121697	Dimethylaniline (N,N)	X				
119937	Dimethylbenzidine (3,3'-)	X				
68122	Dimethylformamide (N,N-)	X				
57147	Dimethylhydrazine (1,1-)	X				
526750	Dimethylphenol (2,3-) Xylenol (2,3-)	X				
105679	Dimethylphenol (2,4-) Xylenol (2,4-)	X				
95874	Dimethylphenol (2,5-) Xylenol (2,5-)	X				
576261	Dimethylphenol (2,6-) Xylenol (2,6-)	X		X		
95658	Dimethylphenol (3,4-) Xylenol (3,4-)	X				
108689	Dimethylphenol (3,5-) Xylenol (3,5-)	X				
25154545	Dinitrobenzenes (NOS) ^c	X				
99343	Dinitrobenzoic acid (3,5-)	X				
51285	Dinitrophenol (2,4-)	X				
602017	Dinitrotoluene (2,3-)	X				
121142	Dinitrotoluene (2,4-)	X		X	X	
606202	Dinitrotoluene (2,6-)	X		X	X	
610399	Dinitrotoluene (3,4-)	X				
117817	Diocetyl phthalate	X		X	X	
97392	Di-o-tolylguanidine	X				
123911	Dioxane (1,4-) (1,4-Diethyleneoxide)	X				
646060	Dioxolane (1,3-)	X				
101815	Diphenyl methane	X				
101848	Diphenyl oxide	X				
102089	Diphenyl thiourea (N,N'-)	X				
122394	Diphenylamine	X				
110985	Dipropylene glycol	X				
112414	Dodecene (branched)	X				
25378227	Dodecene (n-)	X		X	X	
123013	Dodecyl benzene (branched)	X			X	
121158585	Dodecyl phenol (branched)	X				
28675174	Dodecylaniline	X				
121013	Dodecylbenzene (n-)	X				
27176870	Dodecylbenzene sulfonic acid	X		X	X	
25155300	Dodecylbenzene sulfonic acid, sodium salt	X		X	X	

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
	Dodecylbenzene, nonlinear	X		X	X	
25103586	Dodecylmercaptan (branched)	X				
27193868	Dodecylphenol	X				
106898	Epichlorohydrin (1-chloro-2,3-epoxypropane)	X		X	X	
74840	Ethane -	X	X			
64175	Ethanol -	X	X	X	X	
141435	Ethanolamine (2-Aminoethanol)	X		X	X	
141786	Ethyl acetate (Acetic acid, ethyl ester)1 -	X	X	X	X	
141979	Ethyl acetoacetate	X				
140885	Ethyl acrylate	X		X	X	
74964	Ethyl bromide	X				
75003	Ethyl chloride (Chloroethane) -	X	X	X	X	
105395	Ethyl chloroacetate	X				
107120	Ethyl cyanide	X		X		
60297	Ethyl ether	X				
75081	Ethyl mercaptan (ethanethiol)	X				
122510	Ethyl orthoformate	X				
95921	Ethyl oxalate	X				
41892711	Ethyl sodium oxalacetate	X				
75047	Ethylamine	X				
103695	Ethylaniline (n-)	X				
578541	Ethylaniline (o-)	X				
100414	Ethylbenzene	X		X	X	
9004573	Ethylcellulose	X				
105566	Ethylcyanoacetate	X				
74851	Ethylene -	X	X	X	X	
96491	Ethylene carbonate	X				
107073	Ethylene chlorohydrin	X				
106934	Ethylene dibromide (Dibromoethane)	X		X	X	
107062	Ethylene dichloride -	X	X	X	X	X
107211	Ethylene glycol	X		X		
111557	Ethylene glycol diacetate	X				
112481	Ethylene glycol dibutyl ether	X				
629141	Ethylene glycol diethyl ether (1,2-diethoxyethane)	X				
110714	Ethylene glycol dimethyl ether	X				
542596	Ethylene glycol monoacetate	X				
111762	Ethylene glycol monobutyl ether	X		X	X	
112072	Ethylene glycol monobutyl ether acetate	X			X	
110805	Ethylene glycol monoethyl ether	X		X		
111159	Ethylene glycol monoethyl ether acetate	X		X	X	
109864	Ethylene glycol monomethyl ether	X		X	X	
110496	Ethylene glycol monomethyl ether acetate	X				
	Ethylene glycol monoethyl ether	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
122996	Ethylene glycol monophenyl ether	X				
2807309	Ethylene glycol monopropyl ether	X				
75218	Ethylene oxide -	X	X	X	X	X
107153	Ethylenediamine	X				
60004	Ethylenediamine tetraacetic acid	X				
151564	Ethylenimine (Aziridine)	X				
149575	Ethylhexanoic acid (2-)	X				
103117	Ethylhexyl acrylate (2-isomer)	X				
	Ethylhexyl succinate (2-)	X				
25550145	Ethylmethylbenzene	X		X		
206440	Fluoranthene	X				
50000	Formaldehyde -	X	X	X	X	X
75127	Formamide	X				
64186	Formic acid -	X	X			X
110178	Fumaric acid	X				
111308	Glutaraldehyde	X				
367475	Glyceraldehyde	X				
56815	Glycerol	X		X	X	
26545737	Glycerol dichlorohydrin	X				
556525	Glycidol	X				
56406	Glycine	X				
	Glycol ethers	X				
107222	Glyoxal (ethane dial) -	X	X			X
	Guanidine	X				
506934	Guanidine nitrate	X				
592-76-7	Heptenes	X		X	X	
118741	Hexachlorobenzene	X				
87683	Hexachlorobutadiene	X				
77474	Hexachlorocyclopentadiene	X				
67721	Hexachloroethane	X				
36653824	Hexadecyl alcohol (1-hexadecanol)	X				
4860031	Hexadecyl chloride			X		
592450	Hexadiene (1,4-)	X				
3323533	Hexamethylene diamine adipate	X		X	X	
124094	Hexamethylenediamine	X		X	X	
100970	Hexamethylenetetramine	X		X	X	
110543	Hexane	X		X	X	
106694	Hexanetriol (1,2,6-)	X				
111273	Hexyl alcohol	X				
107415	Hexylene glycol	X				
	Higher glycols	X				
74908	Hydrogen cyanide -	X	X	X		X
123319	Hydroquinone	X				
141311	Hydroxyadipaldehyde	X				
99967	Hydroxybenzoic acid (p-)	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
111422	Iminodiethanol (2,2-) (diethanolamine)	X				
123513	Isoamyl alcohol	X				
	Isoamyl chloride (mixed)	X				
26760645	Isoamylene	X				
75285	Isobutane	X		X	X	
78831	Isobutanol	X		X	X	
110190	Isobutyl acetate	X				
106638	Isobutyl acrylate	X				
97869	Isobutyl methacrylate	X				
109535	Isobutyl vinyl ether	X				
115117	Isobutylene	X		X	X	
78842	Isobutyraldehyde (2-methyl-propanal)	X		X	X	
79312	Isobutyric acid -	X	X			X
25339177	Isodecanol	X		X		
	Isohexyldecyl alcohol	X				
27458-94-2	Isononyl alcohol	X				
26952216	Isooctyl alcohol	X		X		
78784	Isopentane	X		X	X	
78591	Isophorone	X				
7027114	Isophorone nitrile	X				
121915	Isophthalic acid -	X	X	X		X
78795	Isoprene	X		X	X	
67630	Isopropanol	X		X	X	
108214	Isopropyl acetate	X				
75296	Isopropyl chloride	X				
108203	Isopropyl ether	X				
75310	Isopropylamine	X				
25168063	Isopropylphenol	X				
463514	Ketene	X		X	X	
79334	Lactic acid	X				
1643-20-5	Lauryl dimethylamine oxide	X				
6080564	Lead acetate	X				
17976-436-1	Lead phthalate	X				
1335326	Lead subacetate	X				
	Linear alcohols, ethoxylated and sulfated, sodium salt, mixed	X		X	X	
	Linear alcohols, ethoxylated, mixed	X		X	X	
	Linear alcohols, sulfated, sodium salt, mixed			X	X	
	Linear alkyl benzene (linear dodecylbenzene)	X				
142723	Magnesium acetate (Acetic acid, magnesium salt)	X		X		
110167	Maleic acid -	X	X			
108316	Maleic anhydride -	X	X	X	X	X
123331	Maleic hydrazide	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
6915157	Malic acid	X				
108781	Melamine (1,3,5-triazine-2,4,6-triamine)	X		X		
1600277	Mercuric acetate	X				
141797	Mesityl oxide -	X	X	X	X	
121471	Metanilic acid	X				
79414	Methacrylic acid	X				
126987	Methacrylonitrile	X		X		
513428	Methallyl alcohol	X				
563473	Methallyl chloride	X				
74828	Methane -	X	X			
67561	Methanol -	X	X	X	X	
63683	Methionine	X				
79209	Methyl acetate -	X	X			
105453	Methyl acetoacetate	X				
96333	Methyl acrylate	X				
74839	Methyl bromide (Bromomethane)	X				
	Methyl butenols	X				
37365712	Methyl butynol	X				
74873	Methyl chloride (Chloromethane) -	X	X	X	X	
78933	Methyl ethyl ketone (2-butanone) -	X	X	X	X	X
107313	Methyl formate	X				
60344	Methyl hydrazine	X				
74884	Methyl iodide -	X	X	X		
108112	Methyl isobutyl carbinol	X				
108101	Methyl isobutyl ketone (Hexone)	X		X	X	
624839	Methyl isocyanate	X				
74931	Methyl mercaptan	X				
80626	Methyl methacrylate	X		X	X	
98851	Methyl phenyl carbinol	X				
119368	Methyl salicylate	X				
1634044	Methyl tert-butyl ether	X		X	X	
74895	Methylamine	X		X	X	
100618	Methylaniline (N-)	X				
910807	Methylbenzene (80/20 mixture) -	X				
137326	Methylbutanol (2-)	X				
108872	Methylcyclohexane	X				
25639423	Methylcyclohexanol	X				
1331222	Methylcyclohexanone	X				
75092	Methylene chloride (Dichloromethane)	X		X	X	
101779	Methylene dianiline (4,4')	X				
101688	Methylene diphenyl diisocyanate (4,4') (MDI)	X				
79696	Methylionones (a-)	X				
90120	Methylnaphthalene (1-)	X				
91576	Methylnaphthalene (2-)	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
107835	Methylpentane (2-)	X		X		
77758	Methylpentynol	X				
98839	Methylstyrene (a-) -	X	X			X
110918	Morpholine	X				
91203	Naphthalene	X		X	X	
85472	Naphthalene sulfonic acid (a-)	X				
120183	Naphthalene sulfonic acid (b-)	X				
1338-24-5	Naphthenic acids	X				
90153	Naphthol (a-)	X				
135193	Naphthol (b-)	X				
567180	Naphtholsulfonic acid (1-)	X				
134327	Naphthylamine (1-)	X				
91598	Naphthylamine (2-)	X				
84866	Naphthylamine sulfonic acid (1,4-)	X				
81163	Naphthylamine sulfonic acid (2,1-)	X				
75832	Neohexane	X				
75989	Neopentanoic acid	X				
126307	Neopentyl glycol	X				
142825	n-Heptane	X		X	X	
3349-06-2	Nickel formate	X				
	Nitriloacetic acid	X				
99092	Nitroaniline (m-)	X				
88744	Nitroaniline (o-)	X				
100016	Nitroaniline (p-)	X				
91236	Nitroanisole (o-)	X				
100174	Nitroanisole (p-)	X				
98953	Nitrobenzene	X		X	X	
121926	Nitrobenzoic acid (m-)	X				
552169	Nitrobenzoic acid (o-)	X				
62237	Nitrobenzoic acid (p-)	X				
122-04-3	Nitrobenzoyl chloride (p-)	X				
79243	Nitroethane	X				
556887	Nitroguanidine	X				
75525	Nitromethane	X				
86577	Nitronaphthalene (1-)	X				
88755	Nitrophenol (o-)	X				
100027	Nitrophenol (p-)	X				
25322014	Nitropropane (1-)	X				
79469	Nitropropane (2-)	X				
1321126	Nitrotoluene (all isomers)	X				
99081	Nitrotoluene (m-)	X				
88722	Nitrotoluene (o-)	X				
99990	Nitrotoluene (p-)	X				
25168041	Nitroxylene	X				
27215958	Nonene	X		X	X	

PROPOSED RULEMAKING

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
1430808	Nonyl alcohol	X		X	X	
1081772	Nonylbenzene (branched)	X				
25154523	Nonylphenol	X		X	X	
25154523	Nonylphenol (branched)	X				
9016459	Nonylphenol, ethoxylated	X		X	X	
111659	Octane	X				
111660	Octene-1	X		X	X	
107459	Octylamine (tert-)	X				
27193288	Octylphenol	X				
	Oil-soluble petroleum sulfonate calcium salt	X		X	X	
	Oil-soluble petroleum sulfonate sodium salt	X		X		
144627	Oxalic acid	X				
471465	Oxamide	X				
	Oxo chemicals	X				
30525894	Paraformaldehyde	X				
123637	Paraldehyde	X				
87865	Pentachlorophenol	X				
78-11-5	Pentaerythritol tetranitrate	X				
109660	Pentane	X		X		
115775	Pentanethiol	X		X	X	
6032297	Pentanol (2-)	X				
584021	Pentanol (3-)	X				
109671	Pentene (1-)	X		X	X	
109682	Pentene (2-)	X				
79210	Peracetic acid	X				
594423	Perchloromethyl mercaptan	X				
62442	Phenacetin	X				
85018	Phenanthrene	X				
94702	Phenetidine (o-)	X				
156434	Phenetidine (p-)	X				
108952	Phenol -	X	X	X	X	X
77098	Phenolphthalein	X				
1333397	Phenolsulfonic acids (all isomers)	X				
91407	Phenyl anthranilic acid (all isomers)	X				
108452	Phenylenediamine (m-)	X				
95545	Phenylenediamine (o-)	X				
106503	Phenylenediamine (p-)	X				
89-25-8	Phenylmethylpyrazolone	X				
103651	Phenylpropane	X		X	X	
108736	Phloroglucinol (1,3,5-benzenetriol)	X				
75445	Phosgene	X		X	X	
88993	Phthalic acid	X				
85449	Phthalic anhydride -	X	X	X	X	X
85416	Phthalimide	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
91156	Phthalonitrile	X				
109-06-8	Picoline (a-)	X				
108996	Picoline (b-)	X				
96-91-3	Picramic acid	X				
88891	Picric acid	X				
110850	Piperazine	X				
504609	Piperlyene	X				
25322683	Polyethylene glycol	X				
25322694	Polypropylene glycol	X				
127082	Potassium acetate	X				
74986	Propane -	X	X	X	X	
57578	Propiolactone (beta-) (2-Oxetanone)	X				
123386	Propionaldehyde	X		X	X	
79094	Propionic acid -	X	X	X		X
109604	Propyl acetate (n-)	X				
71238	Propyl alcohol (n-)	X		X	X	
540545	Propyl chloride	X				
107108	Propylamine	X				
115071	Propylene -	X	X	X	X	
127004	Propylene chlorohydrin	X		X		
57556	Propylene glycol	X		X	X	
107982	Propylene glycol monomethyl ether	X				
75569	Propylene oxide -	X	X	X	X	X
95636	Pseudocumene	X				
137-17-7	Pseudocumidine	X				
129000	Pyrene	X				
110861	Pyridine	X				
616455	Pyrrolidone (2-)	X				
106514	Quinone	X				
108463	Resorcinol (1,3-benzenediol)	X				
69727	Salicylic acid	X				
11206	Sebacic acid	X				
127093	Sodium acetate	X				
532321	Sodium benzoate	X				
3926623	Sodium chloroacetate	X				
143339	Sodium cyanide	X		X		
25155-30-0	Sodium dodecyl benzene sulfonate	X				
141537	Sodium formate	X				
124414	Sodium methoxide	X				
62760	Sodium oxalate	X				
139026	Sodium phenate	X				
137406	Sodium propionate	X				
110441	Sorbic acid	X				
50704	Sorbitol (D-Glucitol)	X		X	X	
588590	Stilbene	X				

PROPOSED RULEMAKING

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
100425	Styrene -	X	X	X	X	X
110156	Succinic acid	X				
110612	Succinonitrile	X				
121573	Sulfanilic acid	X				
126330	Sulfolane	X				
	Synthesis gas	X				
	Tallow acids, sodium salt Tetra (methyl-ethyl) plumbane	X				
526830	Tartaric acid	X				
100210	Terephthalic acid -	X	X	X	X	X
100209	Terephthaloyl chloride	X				
	Tetra (methyl-ethyl) lead	X		X	X	
632791	Tetrabromophthalic anhydride	X				
634-90-2	Tetrachlorobenzene (1,2,3,5-)	X				
95943	Tetrachlorobenzene (1,2,4,5-)	X				
79345	Tetrachloroethane (1,1,2,2-)	X		X		
127184	Tetrachloroethylene (Perchloroethylene)	X		X	X	
117088	Tetrachlorophthalic anhydride	X				
78002	Tetraethyl lead	X		X	X	
112607	Tetraethylene glycol	X				
112572	Tetraethylenepentamine	X				
116-14-3	Tetrafluoroethylene	X				
109999	Tetrahydrofuran	X		X	X	
119642	Tetrahydronaphthalene	X				
85438	Tetrahydrophthalic anhydride	X				
110601	Tetramethylenediamine	X				
110189	Tetramethylethylenediamine	X				
75741	Tetramethyllead	X		X	X	
62566	Thiourea	X				
108883	Toluene	X		X	X	
95807	Toluene diamine (2,4-)	X		X		
584849	Toluene diisocyanate (2,4-)	X				
26471627	Toluene diisocyanates (mixture)	X		X	X	
1333079	Toluene sulfonamides (o- and p-)	X				
104154	Toluene sulfonic acids	X				
584-84-9 (2,4-TDI) and 91-08-7 (2,6-TDI)	Toluene-2,4 (and 2,6)-diisocyanate (80/20) mixture			X		
98599	Toluenesulfonyl chloride	X				
95534	Toluidine (o-)	X				
76039	Trichloroacetic acid	X				
634935	Trichloroaniline (2,4,6-)	X				
87616	Trichlorobenzene (1,2,3-)	X				
120821	Trichlorobenzene (1,2,4-)	X				

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
108703	Trichlorobenzene (1,3,5-)	X				
71556	Trichloroethane (1,1,1-)	X		X	X	
79005	Trichloroethane (1,1,2-)	X		X	X	
79016	Trichloroethylene	X		X	X	
75694	Trichlorofluoromethane	X		X	X	
95954	Trichlorophenol (2,4,5-)	X				
96184	Trichloropropane (1,2,3-)	X				
1330785	Tricresyl phosphate	X				
112709	Tridecyl alcohol	X				
102716	Triethanolamine	X		X	X	
121448	Triethylamine	X				
112276	Triethylene glycol	X		X	X	
112492	Triethylene glycol dimethyl ether	X				
112505	Triethylene glycol monoethyl ether	X				
112356	Triethylene glycol monomethyl ether	X				
7756947	Triisobutylene	X				
552307	Trimellitic anhydride	X				
144194	Trimethyl-1,3-pentanediol (2,2,4-)	X				
16325636	Trimethyl-1-pentanol (2,4,4-)	X				
75503	Trimethylamine	X				
933482	Trimethylcyclohexanol	X				
2408379	Trimethylcyclohexanone	X				
34216347	Trimethylcyclohexylamine	X				
77996	Trimethylolpropane	X				
540841	Trimethylpentane (2,2,4-)	X				
24800440	Tripropylene glycol	X				
57136	Urea	X				
88120	Vinyl (N-)-pyrrolidone (2-)	X				
108054	Vinyl acetate (Acetic acid, ethenyl ester)	X		X	X	
75014	Vinyl chloride (Chloroethylene)	X		X	X	
25013154	Vinyl toluene	X				
100403	Vinylcyclohexene (4-)	X				
75354	Vinylidene chloride (1,1-dichloroethylene)	X		X	X	
140896	Xanthates	X				
108383	Xylene (m-)	X	X	X	X	
1330207	Xylene (NOS) ^c	X		X	X	
95476	Xylene (o-)	X	X	X	X	
106423	Xylene (p-)	X	X	X	X	
25321419	Xylene sulfonic acid	X				
1300716	Xylenols (Mixed)	X				
1300738	Xylidene (2,3-)	X				
1300738	Xylidene (2,4-)	X				
1300738	Xylidene (2,5-)	X				
1300738	Xylidene (2,6-)	X				

PROPOSED RULEMAKING

<i>CAS No.^a</i>	<i>Chemical name^b</i>	<i>Reactor and Distillation CTG Chemicals</i>	<i>Air Oxidation CTG Chemicals</i>	<i>Distillation NSPS Chemicals</i>	<i>Reactor Process NSPS Chemicals</i>	<i>Air Oxidation NSPS Chemicals</i>
1300738	Xylidene (3,4-)	X				
1300738	Xylidene (3,5-)	X				
5970456	Zinc acetate	X				

^aCAS Number = Chemical Abstract Service number.

^bIsomer means all structural arrangements for the same number of atoms of each element and does not mean salts, esters or derivatives.

[Pa.B. Doc. No. 22-163. Filed for public inspection January 28, 2022, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending January 18, 2022.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
01-12-2022	First Resource Bancorp, Inc. Exton Chester County Application for approval to acquire 100% of First Resource Bank, Exton, PA.	Filed

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
01-13-2022	CNB Bank Clearfield Clearfield County	164 Market Street Westlake Cuyahoga County, OH	Filed
01-14-2022	Farmers and Merchants Trust Co. of Chambersburg Chambersburg Franklin County	83 West Washington Street Hagerstown Washington County, MD	Approved
01-15-2022	Republic First Bank Philadelphia Philadelphia County	201 East 9th Street Ocean City Cape May County, NJ	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
01-18-2022	S & T Bank Indiana Indiana County	<i>To:</i> 810-814 South Aiken Avenue Pittsburgh Allegheny County <i>From:</i> 820 South Aiken Avenue Pittsburgh Allegheny County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
01-18-2022	Jersey Shore State Bank Jersey Shore Lycoming County	493 East Sycamore Road Snow Shoe Centre County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
01-12-2022	Investment Savings Bank Altoona Blair County	Filed
	Amendment to Article II of the institution's Articles of Incorporation provides for the principal place of business of the bank to be relocated from 1201 8th Avenue, Altoona, Blair County, PA, to 900 South 16th Street, Altoona, Blair County, PA.	
	Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	

CREDIT UNIONS

No activity.

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 22-164. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF EDUCATION**Application by Lancaster Theological Seminary to Amend Articles of Incorporation****Notice of Opportunity for Hearing and Invitation to Protest**

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Lancaster Theological Seminary to amend its Articles of Incorporation due to entering into a merger agreement with Moravian University. Lancaster Theological Seminary proposes to change the address of the seminary's registered office, dictate the role of the corporation and confirm the protective endowment for Lancaster Theological Seminary remains secure and protected since the seminary's degree-granting authority will remain in effect.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public

hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher Education, Access and Equity, 333 Market Street, 12th Floor, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should call (717) 783-6786 or write to 333 Market Street, 12th Floor, Harrisburg, PA 17126-0333 to schedule a time for a review.

Persons with a disability, who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact the Division of Higher Education, Access and Equity at (717) 783-6786 to discuss accommodations.

NOE ORTEGA,
Secretary

[Pa.B. Doc. No. 22-165. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Applications, Actions and Special Notices****APPLICATIONS****THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT****APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS UNDER THE CLEAN STREAMS LAW AND FEDERAL CLEAN WATER ACT**

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure

storage, collection and treatment facilities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General 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 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 issued by DEP relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

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

Applications and NOIs may be reviewed at the DEP office that received the application or NOI. Contact information for each DEP office for Sections I & II is listed as follows. Contact information for Section III is available within the table. 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 in Sections I & II and to submit comments for those application and NOIs, 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.

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.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov.

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.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov.

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1508411	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	London Grove Township Municipal Authority Chester County 372 Rose Hill Road Suite 300 West Grove, PA 19468	London Grove Township Chester County	SERO
PA0024082	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Amendment Minor	Westmoreland County Municipal Authority P.O. Box 730 Greensburg, PA 15601-0730	Avonmore Borough Westmoreland County	SWRO
PA0246484	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Amendment Minor	Aqua PA Wastewater, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010	Mount Joy Township Adams County	SCRO
1005409	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Reibold STP Inc. 21 Leonberg Road Cranberry Township, PA 16066-3601	Forward Township Butler County	NWRO
1921401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	New	South Centre Township Columbia County 6260 4th Street Bloomsburg, PA 17815-8731	South Centre Township Columbia County	NCRO
NNOEXSC90	No Exposure Certification	Renewal	Kestrel Acquisition, LLC 1731 Hunterstown Road Gettysburg, PA 17325-7526	Straban Township Adams County	SCRO
NOEXNW137	No Exposure Certification	Renewal	PHB Inc. 8150 W Ridge Road Fairview, PA 16415-1805	Fairview Township Erie County	NWRO
NOEXNW219	No Exposure Certification	New	Targeted Pet Treats, LLC 151 Struthers Street Warren, PA 16365-1956	Warren City Warren County	NWRO
NOEXSC261	No Exposure Certification	Transfer	GXO Logistics Supply Chain, Inc. 381 Freight Street Camp Hill, PA 17011-5711	Hampden Township Cumberland County	SCRO
PAG033560	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Russell STD 285 Kappa Drive Suite 300 Pittsburgh, PA 15238-2814	Greene Township Franklin County	SCRO
PAG136313	PAG-13 NPDES General Permit for MS4s	Renewal	Homewood Borough Beaver County 102 2nd Avenue P.O. Box 80677 Beaver Falls, PA 15010-5762	Homewood Borough Beaver County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6794408	Pump Stations Individual WQM Permit	Amendment	Eastern York County Sewer Authority 4 West Market Street Hellam, PA 17406	Hallam Borough York County	SCRO
PA0255912	Single Residence STP Individual NPDES Permit	Transfer	Kay Danielle L 330 Stuber Road New Brighton, PA 15066-3343	Daugherty Township Beaver County	SWRO
0421402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Kay Danielle L 330 Stuber Road New Brighton, PA 15066-3343	Daugherty Township Beaver County	SWRO
1022401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Lemmon Ruth 697 Mushrush Road Butler, PA 16002-0947	Jefferson Township Butler County	NWRO
2021421	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Luticia & Wayne Lynn 14014 Dickson Road Meadville, PA 16335-8060	West Mead Township Crawford County	NWRO
2721405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Solecki Joseph 7118 Front River Road Pittsburgh, PA 15225-1030	Tionesta Township Forest County	NWRO
4221405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Vancamp Amber 1421 Artline Road Eldred, PA 16731-4217	Eldred Township McKean County	NWRO
4321414	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Angeletti Tammy 3028 Frampton Road Hermitage, PA 16148-6204	Hermitage City Mercer County	NWRO
6121405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Vogus Daniel 916 State Rte 428 Oil City, PA 16301	Oakland Township Venango County	NWRO
6122401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Hawk Jason 2307 Buxton Road Titusville, PA 16354-7411	Cherrytree Township Venango County	NWRO
WQG01201501	WQG-01 WQM General Permit	Transfer	Brittany & Joshua Polley 25401 State Street Saegertown, PA 16433-7431	Blooming Valley Borough Crawford County	NWRO
WQG02150708	WQG-02 WQM General Permit	Transfer	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055	Valley Township Chester 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

PA0110582, Sewage, SIC Code 4952, **Eastern Snyder County Region Authority**, P.O. Box 330, Selinsgrove, PA 17870-0330. Facility Name: Eastern Snyder County Region Authority STP. This existing facility is located in Penn Township, **Snyder County**.

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

The receiving stream(s), Susquehanna River (WWF), is located in State Water Plan watershed 6-A and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	417	667	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	500	750	XXX	30	45	60
Fecal Coliform (No./100 ml)		Wkly Avg			Wkly Avg	
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
Copper, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Hexachlorobenzene (ug/L)	0.0003	0.0004	XXX	0.015	0.024	0.039
Benzo(a)Anthracene (ug/L)	0.003	0.005	XXX	0.19	0.30	0.48
Benzo(a)Pyrene (ug/L)	0.0003	0.0005	XXX	0.019	0.03	0.048
3,4-Benzofluoranthene (ug/L)	0.003	0.005	XXX	0.19	0.30	0.48
Dibenzo(a,h) Anthracene (ug/L)	0.0003	0.0005	XXX	0.019	0.03	0.048
Indeno (1,2,3-cd) Pyrene (ug/L)	0.003	0.005	XXX	0.19	0.30	0.48
N-Nitrosodi-N-Propylamine (ug/L)	Report	Report	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.

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		IMAX
	Monthly	Annual		Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen*	XXX	51,141	XXX	XXX	XXX	XXX
Net Total Phosphorus*	XXX	6,819	XXX	XXX	XXX	XXX

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

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

- Solids Management
- Whole Effluent Toxicity
- Stormwater

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 not in effect.

Northeast Regional Office

PA0276499, Storm Water, SIC Code 4222, **United States Cold Storage**, 4000 Miller Circle North, Bethlehem, PA 18020-8600. Facility Name: United States Cold Storage. This proposed facility is located in Bethlehem Township, **Northampton County**.

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

The receiving stream(s), Unnamed Tributary to Monocacy Creek (HQ-CWF, MF), is located in State Water Plan watershed and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

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

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

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

The EPA Waiver is in effect.

PA0029050, Sewage, SIC Code 7032, **Pine Forest Camp, Inc.**, 1528 Walnut Street, Suite 1900, Philadelphia, PA 19102. Facility Name: Pine Forest Camp, Inc. This existing facility is located in Blooming Grove Township, **Pike 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), Taylortown Creek (HQ-CWF), is located in State Water Plan watershed 1-D and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD—Interim Limits.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.72	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .025 MGD.—Final Limits.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Minimum Monthly Average	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report Avg Mo	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0 Inst Min	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Minimum Monthly Average	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
CBOD ₅ Minimum % Removal (%)	85	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
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
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	XXX	XXX	XXX	14.0	28.0	XXX
					Daily Max	
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	2.0
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

- Solids Management
- Discharge Reporting

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0288993, Industrial, SIC Code 4214, **Kirila Contractors, Inc.**, P.O. Box 179, Brookfield, OH 44403-0179. Facility Name: GD Leasing Facility. This proposed facility is located in Hermitage City, **Mercer County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0086 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	75.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Iron, Dissolved	0.19	0.3	XXX	2.64	4.12	6.61
Mercury, Total (ug/L)	0.00003	0.00005	XXX	0.44	0.69	1.1
Ethylbenzene	XXX	XXX	XXX	XXX	Report	XXX
Cumene	XXX	XXX	XXX	XXX	Report	XXX
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
Benzo(a)Anthracene (ug/L)	0.00018	0.00018	XXX	2.5	2.5	2.5
BTEX, Total	XXX	XXX	XXX	0.1	XXX	0.25
Chrysene (ug/L)	0.0007	0.001	XXX	9.39	14.6	23.5
Naphthalene	XXX	XXX	XXX	XXX	Report	XXX
Phenanthrene (ug/L)	0.0006	0.001	XXX	8.82	13.8	22
Toluene	XXX	XXX	XXX	XXX	Report	XXX
Vinyl Chloride (ug/L)	0.0001	0.0002	XXX	1.56	2.44	3.91

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Lead, Total	XXX	Report	XXX	XXX	Report	XXX
1,2,4-Trimethylbenzene	XXX	XXX	XXX	XXX	Report	XXX
1,3,5-Trimethylbenzene	XXX	XXX	XXX	XXX	Report	XXX
MTBE	XXX	XXX	XXX	XXX	Report	XXX

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

- WQBELs Below Quantitation Limits
- Groundwater Cleanup—Petroleum Products

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.

PA0032468, Sewage, SIC Code 4952, 7032, 9512, **PA DCNR**, P.O. Box 120, Cooksburg, PA 16217-0120. Facility Name: Cook Forest State Park. This existing facility is located in Barnett Township, **Forest 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 the Clarion River, located in State Water Plan watershed 17-B 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 0.079 MGD.

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

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

The EPA Waiver is not in effect.

PA0102431, Sewage, SIC Code 4952, 6515, **Cedar Acres/Cunningham MHP, Inc.**, 203 Independence Lane, New Castle, PA 16101-2883. Facility Name: Cedar Acres MHP. This existing facility is located in Scott Township, **Lawrence County**.

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

The receiving stream is an Unnamed Tributary of Slippery Rock Creek, located in State Water Plan watershed 20-C and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0078 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (#/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 (#/100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	25.0	XXX	50.0
May 1 - Oct 31	XXX	XXX	XXX	8.5	XXX	17.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

PA0223107, Sewage, SIC Code 4952, **Big Run Area Municipal Authority**, P.O. Box 477, Big Run, PA 15715-0477. Facility Name: Big Run Area WWTP. This existing facility is located in Big Run Borough, **Jefferson 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 Mahoning Creek, located in State Water Plan watershed 17-D and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.11 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	22.9	36.7	XXX	25.0	40.0	50.0
Total Suspended Solids	27.5	41.3	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

PA0240192, Sewage, SIC Code, **Myranda Hyden**, 24478 State Street, Meadville, PA 16335-8834. Facility Name: Myranda Hyden SRSTP. This existing facility is located in Blooming Valley Borough, **Crawford County**.

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

The receiving stream(s), Unnamed Tributary to Woodcock Creek (HQ-CWF), is located in State Water Plan watershed 16-A 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 .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 (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	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.

PA0264130, Sewage, SIC Code 4952, 8800, **Corrie Boyd**, 8520 Route 89, North East, PA 16428-5238. Facility Name: Corrie Boyd SRSTP. This existing facility is located in North East Township, **Erie County**.

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

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

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

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

PA0290149, Sewage, SIC Code 8800, **Martha Neff**, 770 Chicora Road, Chicora, PA 16025-3318. Facility Name: Martha Neff SRSTP. This proposed facility is located in Millcreek Township, **Clarion 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 Mill Creek (HQ-CWF), is located in State Water Plan watershed 17-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

PA0290220, Sewage, SIC Code 8800, **Douglas Rose**, 12044 Route 6, Corry, PA 16407-8976. Facility Name: Douglas Rose SRSTP. This proposed facility is located in Wayne 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), Baskin Run (CWF), is located in State Water Plan watershed 16-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (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.

PA0290297, Sewage, SIC Code 4952, 8800, **Ruth Lemmon**, 697 Mushrush Road, Butler, PA 16002-0947. Facility Name: Ruth Lemmon SRSTP. This proposed facility is located in Jefferson Township, **Butler County**.

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

The receiving stream is Patterson Run, located in State Water Plan watershed 20-C and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 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 (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	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0058955, Storm Water, SIC Code 3273, **Eureka Stone Quarry Inc. dba JDM Materials Co.**, 851 County Line Road, Huntingdon Valley, PA 19006-1111. Facility Name: JDM Materials Co. Bartram Batch Plant. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

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

The proposed effluent limits for Outfall 001 are based on a stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50.0	100.0	100
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report

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

- I. Stormwater Requirements
- II. BMPs
- III. Routine Inspections
- IV. PPC PLAN
- V. Stormwater Monitoring Requirements
- VI. Other Requirements

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

The EPA Waiver is in effect.

PAI130064, MS4, Warminster Township, Bucks County, 401 Gibson Avenue, Warminster, PA 18974.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Warminster Township, **Bucks County**. The receiving stream(s), Unnamed Tributary of Little Neshaminy Creek (WWF, MF), Unnamed Tributary of Pennypack Creek (TSF, MF), and Unnamed Tributary to Southampton Creek (TSF, MF), is located in State Water Plan watershed 2-F and 3-J and is classified for Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

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

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

PA0026867, Sewage, SIC Code 4952, Abington Township, 1176 Old York Road, Abington, PA 19001-3731. Facility Name: Abington Township STP. This existing facility is located in Upper Dublin Township, **Montgomery County**.

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

The receiving stream, Sandy Run (TSF, MF), is located in State Water Plan watershed 3-F and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.91 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily 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	7.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	489	734	XXX	15	22.5	30
May 1 - Oct 31	245	376	XXX	7.5	11.25	15
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	978	1,467	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	32,609	XXX	XXX	1,000	XXX	1,500
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	70	XXX	XXX	2.16	XXX	4.32
May 1 - Oct 31	23	XXX	XXX	0.72	XXX	1.44
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	Report	XXX
					Daily Max	
Orthophosphate	60	XXX	XXX	1.85	XXX	3.7
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
Boron, Total	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	0.63	0.99	XXX	0.019	0.030	0.049
		Daily Max			Daily Max	
Cyanide, Free	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Report	XXX	XXX	Report	XXX	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 3.91 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		

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>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on 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
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Small Stream Discharge

- F. Operator Notification
- G. Fecal Coliform Reporting
- H. Solids Management
- I. WET Condition
- J. Stormwater Outfalls 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 not in effect.

PA0027154, Sewage, SIC Code 4952, **Phoenixville Borough**, 351 Bridge Street, Phoenixville, PA 19460. Facility Name: Phoenixville Borough STP. This existing facility is located in Phoenixville Borough, **Chester 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, Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

Parameters	Mass Units (lbs/day)		Daily 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	5.0 Inst Min	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	834	1,334	XXX	25	40	50
May 1 - Oct 31	667	1,000	XXX	20.0	30.0	40
Raw Sewage Influent Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	1,000	1,500	XXX	30	45	60
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	400	XXX	XXX	12	XXX	24
May 1 - Oct 31	267	XXX	XXX	8	XXX	16
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
Cadmium, Total	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	Report	XXX	XXX	Report	XXX	XXX

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

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.—Limits.

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

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Operator Notification
- F. Operations and Maintenance Plan
- G. High Flow Management Plan
- H. Fecal Coliform Reporting
- I. Solids Management
- J. WET Condition
- K. Stormwater Outfalls Requirement
- L. 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 not in effect.

Southwest Regional Office

PA0024163, SIC Code 4952, **Cambria Township Sewer Authority, Cambria County**, P.O. Box 247, Revloc, PA 15948-0247. Facility Name: Revloc STP. This existing facility is located in Cambria Township, **Cambria County**.

Description of Existing Activity: Amendment of NPDES permit for an existing discharge of treated sewage.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .238 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Ammonia-Nitrogen	Report	XXX	XXX	Report	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .238 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Dissolved Oxygen	XXX	XXX	6.0 Inst Min XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.05	XXX	0.16
Ammonia-Nitrogen Nov 1 - Apr 30	29.2	XXX	XXX	7.0	10.5 Wkly Avg	14
May 1 - Oct 31	10.0	XXX	XXX	2.4	3.6 Wkly Avg	4.8

The proposed effluent limits for Outfall 001 are based on a design flow of .238 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .238 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min XXX	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	104.3	156.4	XXX	25	38	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Total Suspended Solids Fecal Coliform (No./100 ml) Oct 1 - Apr 30	125.1	187.6	XXX	30	45	60
May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean 200 Geo Mean	XXX	10,000 1,000

This permit amendment is the result of a Consent Order and Agreement (COA) entered into on December 23, 2021 by the Commonwealth of Pennsylvania and Cambria Township Sewer Authority and resolves EHB Appeal Docket No. 021-081-L.

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.

PA0094455, Sewage, SIC Code 4952, **Derry Township Municipal Authority**, P.O. Box 250, New Derry, PA 15671-0250. Facility Name: Dogwood Acres MHP. This existing facility is located in Derry Township, **Westmoreland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .035 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	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	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	7.3	XXX	XXX	25.0	XXX	50.0
May 1 - Oct 31	5.5	XXX	XXX	19.0	XXX	38.0
Total Suspended Solids	8.8	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen				Geo Mean		
Nov 1 - Apr 30	XXX	XXX	XXX	19.5	XXX	39.0
May 1 - Oct 31	XXX	XXX	XXX	6.5	XXX	13.0

The proposed effluent limits for Outfall 001 are based on a design flow of .035 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>	
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						

The proposed effluent limits for Outfall 001 are based on a design flow of .035 MGD.—Limits.

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

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.

Southcentral Regional Office

PA0086282, Industrial, SIC Code 4922, **Texas Eastern Transmission, LP**, 5400 Westheimer Court, Houston, TX 77056-5353. Facility Name: Texas Eastern Transmission, LP Grantville Compressor Station. This existing facility is located in East Hanover Township, **Dauphin County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste (from a groundwater remediation system).

The receiving stream(s), Unnamed Tributary to Bow Creek (WWF, MF), is located in State Water Plan watershed 7-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0823 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
PCBs, Total (ug/L)	Avg Qrtly XXX	Daily Max XXX	XXX	0.0002	0.0003	0.0005

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

- WQBELs Below Quantitation Limits. Total PCBs, Quantitation Limit = 0.5 ug/L

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.

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

Application Number	Application Type	Applicant Name & Address	Municipality, County	Office
PA510001D	New	A P Construction, Inc. 915 S. Black Horse Pike Blackwood, NJ 08012-2815	City of Philadelphia Philadelphia County	SERO
PAD460070	New	Renaissance Land Associates, II and III, LP 201 King of Prussia Road Suite 501 Radnor, PA 19087-5148	Upper Merion Township Montgomery County	SERO
PAC700009	New	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790	Forest City Borough Susquehanna County Clinton Township Wayne County	PA DEP, Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790 570-826-2371
PAD400053	Renewal	Hunlock Township Kim Piestrak 33 Village Drive Hunlock Creek, PA 18621	Hunlock Township Luzerne County	NERO
PAD390220	New	Members 1st Federal Credit Union 5000 Louise Drive Mechanicsburg, PA 17055	Upper Macungie Township Lehigh County	NERO
PAD190007	New Individual Permit	Andy Helwig 1461 Numidia Drive Catawissa, PA 17820	Locust Township Columbia County	Columbia County Conservation District 702 Sawmill Rd Suite 204 Bloomsburg, PA 17815-7727

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should

include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

**ACT 38
NUTRIENT MANAGEMENT PLANS
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Meadow Vista Dairy, LLC 166 Risser Road Bainbridge, PA 17502	Lancaster	715.9	1,232.5	Dairy	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5887.

Contact: Kimberleigh Rivers, Clerk Typist 2, 424.250.5887.

Permit No. WA-09-1010A, Public Water Supply.

Applicant **Plumsted Township**
5186 Stump Road
Pipersville, PA 18947

Township Plumsted

County **Chester**

Responsible Official Teresa A. Funk
Plumsted Township
5186 Stump Road
Pipersville, PA 18947

Type of Facility PWS

Consulting Engineer Gilmore & Associates
65 East Butler Avenue
New Britain, PA 18901

Application Received Date March 3, 2021

Description of Action To purchase water from North Wales Water Authority to serve two developments in Plumsted Township.

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Application No. 4021508, Public Water Supply.

Applicant **OM USA, LLC**
d/b/a Nelly Travel Plaza
3765 Nuangola Road
Nuangola, PA 18707

Municipality Rice Township

County **Luzerne**

Type of Facility Public Water Supply

Consulting Engineer John R. Ackerman, P.E., P.G.
Twin Oaks Consulting, LLC
820 Evans Street
Hazle Township, PA 18201

Application Received Date December 10, 2021

Description of Application Applicant is requesting after-the-fact approval of previously installed manganese removal and UV disinfection systems.

Application No. 5221503, Public Water Supply.

Applicant	Pennsylvania American Water Company—Saw Creek Estates 852 Wesley Drive Mechanicsburg, PA 17055
Township	Lehman Township
County	Pike
Responsible Official	Bruce Aiton Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Type of Facility	PWS
Consulting Engineer	Michael Paul Goodwin, PE Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657
Application Received Date	December 16, 2021
Description of Action	The project consists of the design, permitting and construction of a new water treatment facility, and associated supply and distribution piping, near the site of one of three (3) existing wells (Wells 1—3) to be treated at this new facility. The new design concept will include pumping the raw water from all three wells to a common location for treatment (iron and manganese filtration and required disinfection/4-log removal), and then into the Rigby Tank 5 section of the distribution system. The new treatment system will be installed to produce treated water to meet or exceed the requirements for the iron and manganese SMCLs, as well as the EPA health advisory limit for total manganese. Until the project is completed, the system will remain in operation as is.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard,

the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5787.

Contact: Charline Bass.

Temple Sinai, 1401 Limekiln Pike, Dresher, PA 19025, Upper Dublin Township, **Montgomery County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Jeffrey Goldstein, Temple Sinai, 1401 North Limekiln Pike, Dresher, PA 19025 submitted a Notice of Intent to Remediate. Soil at the site has been found to be contaminated with No. 2 fuel oil. The proposed future use of the property remains unchanged. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *The Times Herald* on October 20, 2021.

Former Ashbourne Country Club, 1100 Ashbourne Road, Cheltenham, PA 19012, Cheltenham Township, **Montgomery County**. Jeffrey K. Walsh, PG, Penn Environmental & Remediation, Inc., 400 Old Dublin Pike,

Doylestown, PA 18901 on behalf of Louis Dalesio, Land Group LTD/Liberty Development Company, 1930 Route 309, Coopersburg, PA 18036 submitted a Notice of Intent to Remediate. Localized impacts of arsenic, lead, and mercury were identified in soil. The site is currently being redeveloped for residential purposes. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *The Intelligencer* on December 12, 2021.

10 West College Avenue, 10 West College Avenue, Yardley, PA 19067, Yardley Borough, **Bucks County**. Stephen Huxta, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Charles Athey, Yardley Products, LLC, 1 Dixon Square, Chestertown, MD 21620 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with SVOCs and VOCs, which have impacted groundwater and soil. The building is currently vacant. The current intended future use of the site is nonresidential but may be residential at some point in the future. The proposed cleanup standard for the site is the site-specific standard/Statewide health standard. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on December 6, 2021.

137 Wallace Avenue, 137 Wallace Avenue, Downingtown, PA 19335, Downingtown Borough, **Chester County**. Paul White, PG, Brickhouse Environmental, 515 South Franklin Street, Suite D-1, West Chester, PA 19382 on behalf of Cheol C. Sihm, 50 Dimas Court, Harrington Park, NJ 07640 submitted a Notice of Intent to Remediate. Site groundwater has been found to be impacted by chlorinated volatile organic compounds and petroleum. The current and intended future use of the site is nonresidential. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in *The Daily Local News* on November 5, 2021.

2120-34 East York Street, 2120-34 East York Street, Philadelphia, PA 19125, City of Philadelphia, **Philadelphia County**. Jeff Hosterman, Tetra Tech, Inc., 240 Continental Drive, Suite 200, Newark, DE 19713 on behalf of Michael Tomasetti, 2120 East York Street, LLC, 51 North 3rd Street, Unit # 154, Philadelphia, PA 19106 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with selected organic and inorganic compounds which have impacted soil. The proposed future use of the property includes a residential, multi-tenant development. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *The Star* on December 15, 2021.

Cook Technologies Facility, North 2nd Street, Green Lane, PA 18054, Green Lane Borough and Marlborough Township, **Montgomery County**. Peter R. Lamont, PG, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Jonathan S. Goldstein, Cook Green Lane LLC, 11 Church Road, Hatfield, PA 19440 submitted a Notice of Intent to Remediate. Site soils and groundwater have been found to be impacted by VOCs and arsenic. The proposed future use of the property will be both residential and nonresidential for continued manufacturing activities and possible residential development. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *The Mercury* on December 7, 2021.

Bristol Township Sewer Authority, 1800 River Road, Croydon, PA 19021, Bristol Township, **Bucks**

County. Matthew Mercuri, PG, RMS Environmental LLC, 2198 Pennsbury Drive, Jamison, PA 18929 on behalf of Joe Crooks, Superior Tank & Energy, 302 Jefferson Avenue, Bristol, PA 19007 submitted a Notice of Intent to Remediate. Soil and groundwater at the site have been impacted by No. 2 fuel oil. The proposed future use of the property will remain nonresidential. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on November 18, 2021.

1420 Delmar Drive, 1420 Delmar Drive, Folcroft, PA 19032, Folcroft Borough, **Delaware County**. Joseph Kraycik, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482 on behalf of Wes Pontius, 1420 Delmar Drive Associates, LP, 900 East Eighth Avenue, Woodlands Center, Suite 300, King of Prussia, PA 19406 submitted a Notice of Intent to Remediate. Based on recent investigations, concentrations of chlorinated volatile organic compounds (VOCs) are present in site soil and groundwater. The future use of the property is expected to remain nonresidential. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *The Delaware County Daily Times* on December 7, 2021.

Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Former Childs Train Yard, Meredith Street, Carbondale, PA 18407, Carbondale Township, **Lackawanna County**. Quad 3 Group, 37 North Washington Street, Wilkes-Barre, PA 18701, on behalf of Lackawanna Heritage Valley Authority, 213 Railroad Ave, Scranton, PA 18505, submitted a Notice of Intent to Remediate. Soil was contaminated by lead from historic operations as a rail yard. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Scranton Times* on December 15, 2021.

Easton Iron and Metal, 1111-1113 Bushkill Drive, 1164 Bushkill Drive, Easton, PA 18042, Easton City, **Northampton County**. HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of the City of Easton, 123 South Third Street, Easton, PA 18042, submitted a Notice of Intent to Remediate. Soil was contaminated with petroleum, chlorinated solvents, and heavy metals from historic site operations. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Express Times* on January 10, 2022.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

Application(s) received Under the Solid Waste Management Act (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 modification to coverage under an Infectious and Chemotherapeutic Waste Processing Facility General Permit.

Central Office: Waste Management, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit No. WMGI005 and Application No. WMGI005D003. Sanofi Pasteur, Inc., Discovery Drive,

Swiftwater, PA 18370-0187, **Monroe County**. Sanofi Pasteur, Inc. submitted an application to modify WMGI005 and its coverage under WMGI005D003. The application requests amending the WMGI005 language to allow processed regulated medical waste to be sent to either a permitted processing or disposal facility. Current language only allows that waste to be sent for disposal. In addition, Sanofi Pasteur, Inc. is requesting amendment to its coverage under WMGI005D003 to allow them to send processed regulated medical waste to a processing facility. Specifically, the waste in question is processed egg waste generated from vaccine manufacturing to be sent to a composting facility. The application was determined to be administratively complete by Central Office on December 6, 2021.

Comments concerning the application should be directed to Chris Solloway, Chief, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGI005D003" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: James Beach, New Source Review Chief, (484) 250-5920.

09-0235B: CP Converters, Inc. dba C-P Flexible Packaging, 181 Rittenhouse Circle, Bristol, PA 19007, for the use of solvent-based lamination formulations on existing extrusion equipment currently operating at the existing facility in Bristol Township, **Bucks County**. The extrusion lamination process will be designated as Source ID 150. The potential to emit VOC emissions of the proposed source is 4.05 tons per year. The VOC emission limit for the three (3) existing presses is revised with this plan approval to cap facility-wide potential to emit VOC emissions less than major source thresholds. Post-control Volatile Organic Compound (VOC) and Hazardous Air Pollutant (HAP) emissions are less than 25 tons per year VOC and any combination HAP and less than 10 tons per year any individual HAP; the facility is classified as a Synthetic Minor Facility. The requirements of 25 Pa. Code § 129.52b apply to the extrusion laminating surface coating process. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional

Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

Southwest Region, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

04-00445D: VEKA Inc., 100 VEKA Drive, Fombell, PA 16123, pursuant to 25 Pa. Code §§ 127.44 and 127.45 for intent to issue Air Quality plan approval to authorize construction and temporary operation of one (1) additional vinyl extrusion lamination line (Line # 3) at its Fombell Plant in Marion Township, **Beaver County**.

Lamination operations incorporate felt pad wipe application of primer and slot die application of hot melt adhesive with transfer efficiencies of nearly 100% and constitute best available technology (BAT) for the previously installed and proposed surface coating operations. Emissions of methylene chloride (MeCl) (HAP), ethanol (VOC), and methylene diphenyl di-isocyanate (MDI) (VOC and HAP) are collected by hoods at the application sites and are routed via common duct to atmosphere. With the additional line, total potential to emit (PTE) for the lamination operations will not exceed 0.20 ton per year (tpy) VOC, 9.90 tpy of a single HAP (methylene chloride), and 9.90 tpy of total HAPs combined. The current operating permit for the facility includes limits of 0.61 tpy VOC, 8.32 tpy of a single HAP (methylene chloride), and 8.93 tpy of total HAPs combined. The proposed plan approval has been conditioned to ensure compliance with all applicable requirements specified in 25 Pa. Code, and includes emissions limitations and work practice, monitoring, recordkeeping, and reporting requirements.

At the request of the Department, VEKA conducted an inhalation risk assessment to evaluate potential cancer and noncancer inhalation risks associated with potential air emissions from the lamination lines. Emission rates of compounds of potential concern (COPC) were modeled to derive exposure concentrations. The highest modeled exposure concentrations were then multiplied or divided by compound-specific unit risk factors or reference concentrations, respectively. Chronic risks for each COPC were then summed and compared against the Department's benchmark excess lifetime cancer risk and health index (HI) values. Acute risks for each COPC were compared against the Department's benchmark hazard quotient (HQ) value.

Table 1: Inhalation Risk Assessment Results Summary

<i>Inhalation Risk</i>	<i>Department Benchmark</i>	<i>Modeled Risk</i>	<i>Less Than Benchmark?</i>
Excess Lifetime Cancer Risk	1 in 100,000	1.3 in 1,000,000	Yes
Chronic Noncancer Risk	HI < 0.25	HI = 0.2201	Yes
Acute Noncancer Risk	HQ < 1 (MeCl)	HQ = 0.4211	Yes
	HQ < 1 (MDI)	HQ = 0.0024	Yes

The Department's technical review concluded that VEKA's inhalation risk assessment was conducted accord-

ing to the Department-approved protocol and is acceptable. Furthermore, the Department's independent inhalation risk assessment concludes that chronic cancer and noncancer risks, as well as acute noncancer risks do not exceed the Department's benchmarks.

The plan approval application, the Department's Air Quality review memorandum, and the proposed Air Quality plan approval for the proposed project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To schedule an appointment to review the Air Quality plan approval application or proposed Air Quality plan approval, or to receive an electronic copy of the Department's Air Quality review memorandum or the proposed Air Quality plan approval for the proposed project, a person may contact the Department's Southwest Regional Office File Review Coordinator at 412.442.4000.

A person may oppose the proposed Air Quality plan approval by filing a written protest with the Department or may submit written comments through Devin P. Tomko, P.E., Air Quality Engineer, via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; written comments may also be submitted via email to dtomko@pa.gov or via fax to 412-442-4194. Each set of written comments or protest must contain the name, address, and telephone number of the person submitting the comments or protest, identification of the proposed plan approval (04-00445D) 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 protest to the proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice).

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Plan Approval for installation of air pollution sources at the following facility:

IP20-000376: The Study at the University City, 20 S. 33rd St, Philadelphia, PA 19102, for the installation of air pollution source in the City of Philadelphia, **Philadelphia County**. For installation of following air emission sources: Four (4) Makeup Air Unit firing natural gas each rated less than 4 MMBtu/hr, six (6) hot water heaters firing natural gas each rated less than 2 MMBtu/hr, and two (2) Hot water heater, firing natural. Potential NO_x emission from the installation of these sources is 1.3 tpy. The plan approval will contain operating, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

The plan approval will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed plan approval must submit the protest, comments or request for a

public hearing within 30-days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the plan approval or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Plan Approval for installation of air pollution sources at the following facility:

IP20-000526: Wilson Park Apartment, 2500 Jackson Street, Philadelphia, PA 19145, for the installation of air pollution source in the City of Philadelphia, **Philadelphia County**. For installation of the following air emission sources: One emergency generator rated at 300 kw firing Diesel fuel, one emergency generator rated at 130 kw firing Diesel fuel, one emergency generator rated at 60 kw firing Diesel fuel, one emergency generator rated at 50 kw firing Diesel fuel, one fire pump rated at 115 kw firing Diesel fuel and three (3) boilers firing natural gas each rated less than 6.276 MMBtu/hr. Potential NO_x emission from the installation of these sources is 10.84 tpy. The plan approval will contain operating, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

The plan approval will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed plan approval must submit the protest, comments or request for a public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the plan approval or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least 30-days before the hearing.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

09-00152: Gelest, Inc., 11 Steel Road East, Morrisville, PA 19067. This action is a renewal of the State Only Operating Permit in Falls Township, **Bucks County**. Gelest has a specialty chemical operation with mainly reactors and an electric dryer controlled by condenser, two scrubbers and a chilled dewar trap. There are also 3 emergency generators. Since the last renewal, the facility took a site-wide VOC emissions limit of 24.99 tpy and is classified as Synthetic Minor. The permit will include emission limits, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional

Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

09-00022: Cleveland Steel Container Corporation, 350 Mill Street, Quakertown, PA 18951, located in Quakertown Borough, **Bucks County**. This action is a renewal of a Synthetic Minor Operating Permit. Sources of emission at the facility are as follows: a pail line spray coating line, consisting of two (2) enclosed spray booths; one (1) roller-coater; two (2) curing ovens; and one (1) UV lithographic printing press. One (1) Regenerative Thermal Oxidizer (RTO) is used to control all volatile organic compound (VOC) emissions from the pail line coating process. A Catalytic Incinerator is used to control VOC emissions from the roller coating process. Cleveland Steel Container Corporation has elected to take a facility wide VOC emission limit of 25 tons per year and as such operates as a synthetic minor facility for criteria pollutants. The facility is an area source of Hazardous Air Pollutant (HAP) emissions. There are no new sources at the facility. (1) Conventional Lithographic printing press Source ID 108 and (1) spray booth Source ID 103B have been deactivated and will be removed from the permit. The permit has been updated to include a lithographic printing press Source ID 110, that had been previously permitted under GP7-09-0066. All applicable emissions limits, monitoring, recordkeeping and reporting requirements for this source, pursuant to 25 Pa. Code §§ 129.52 and 129.67a will be included in this renewal permit.

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-EPSEROPUBCOM@pa.gov.

09-00125: Naceville Materials JV, 5031 Point Pleasant Pike, Doylestown, PA 18901, located in Plumstead Township, **Bucks County**, for a renewal of State Only (Natural Minor) Operating Permit No. 09-00125 for its Plumsteadville facility. The facility's air emissions sources consist of a stone crushing plant, from which the main pollutant emitted is particulate matter (PM). The only change that has occurred since the State Only Operating Permit (SOOP) was last renewed in May 2016 is the replacement of the tertiary cone crusher approved under Request for Determination No. 6223 in April 2017.

The stone crushing plant is subject to the provisions of 40 CFR Part 60, Subpart OOO, for nonmetallic mineral processing plants. The SOOP renewal will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

46-00281: Matheson Inc., 1401 Stauffer Road, Palm, PA 18070, for the renewal of a Synthetic Minor Operating Permit in Upper Hanover Township, **Montgomery County**. The initial operating permit was issued on June 29, 2015 and was effective August 1, 2015. The facility manufactures industrial gases. The only changes reflected in this operating permit renewal is that Systems 400 and 1000, which were included in Source ID 101, are no

longer in use and have been removed from the permit; also one (1) 12,000-gallon propylene storage tank has been added as Source ID 105. The primary source of air emissions from the facility are VOC Process Systems (Source ID 101), Non-VOC Process Systems (Source ID 102), Operations (Source ID 103) and Equipment Leaks (Source ID 104). Source ID 101 is subject to 40 CFR Part 60 Subparts VV, NNN, and RRR. VOC emissions from Source IDs 101–103 are controlled by a thermal oxidizer (Source ID C101). The following are potential site-wide emissions from the facility: 1.24 TPY for NO_x, 0.41 TPY for CO, 5.61 TPY for VOC, 0.07 TPY for PM, 0.14 TPY for SO_x, 0.14 TPY for Ethane, 2.39 TPY for Methane and 24.99 TPY for combined HAP and 9.99 TPY individual HAP. Applicable requirements are already incorporated into the operating permit. The permit will continue to contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

04-00714: Valvoline, LLC, 501 Railroad Street, Rochester, PA 15074, natural minor operating permit for the blending, storage, packaging and distribution of vehicle lubricants located in Rochester Borough, **Beaver County**. Air contamination sources at this facility include: two natural gas fired boilers, lubricant storage, blending & packaging plant. The potential emissions from these sources include: 5.93 TPY VOC; 4.7 TPY NO_x; 3.9 TPY CO; 0.4 TPY PM; 0.03 TPY SO₂. This is a renewal of a State-Only Operating Permit. The State-Only Operating Permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permitting Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00714) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

All comments must be received prior to the close of business 30-days after the date of this publication.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

11-00252: C&C Smith Lumber Co, Inc., 197 Tower Road, Summerhill, PA 15958, natural minor operating permit for the primary wood products sawmill facility located in Croyle Township, **Cambria County**. Air contamination sources at this facility include: three biomass fired boilers; wood working building; glue room paint booths; two pellet machines; rotary dryer. The potential emissions from these sources include: 2.08 TPY VOC; 38.27 TPY NO_x; 73.76 TPY CO; 79.63 TPY PM; 3.06 TPY SO₂. This is a renewal of a State-Only Operating Permit. The State-Only Operating Permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permitting Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (11-00252) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

All comments must be received prior to the close of business 30-days after the date of this publication.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.

36-03214: The Hain Celestial Group, Inc./Mountville, 3775 Hempland Road, Mountville, PA 17554, for operation of a natural gas-fired boiler, fire pump and fryers controlled by mist eliminators at the facility in West Hempfield Township, **Lancaster County**. The facility is subject to 40 CFR Part 60, Subpart Dc—Standards

of Performance for Small Industrial—Commercial-Institutional Steam Generating Units and 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. Potential emissions are not expected to exceed 17.1 tons per year (tpy) of PM, 18.9 tpy of NO_x, 3.46 tpy of VOC and 15.0 tpy of CO. 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.

Southwest Region, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

11-00535: Laurel Highlands Crematory at Harris Funeral Home, Inc., 500 Cherry Lane, Johnstown, PA 15904. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a natural minor State Only Operating Permit for one human crematory incinerator and one animal crematory incinerator located in Richland Township, **Cambria County**.

Laurel Highlands Crematory one human crematory incinerator and one animal crematory incinerator. The human crematory is a natural gas-fired Matthews IE43-PPI Human Cremator Incinerator. The unit is composed of a 0.6 MMBtu/hr primary chamber and a 1.2 MMBtu/hr secondary chamber. The incinerator is capable of handling 150 lbs/hr with a maximum charge capacity of 750 pounds. The animal crematory is a natural gas-fired Matthews IEB-16 Animal Cremator Incinerator. The unit is composed of a 0.6 MMBtu/hr primary chamber and a 1.2 MMBtu/hr secondary chamber. The incinerator is capable of handling 100 lbs/hr with a maximum charge capacity of 300 pounds. This facility has the potential to emit 6.01 tons/12-consecutive month period (12-cmp) PM₁₀, 5.48 tons/12-cmp CO, 1.37 tons/12-cmp SO_x, 1.64 tons/12-cmp NO_x, 1.64 tons/12-cmp VOC, 0.63 ton/12-cmp HAPs, and 0.25 ton/12-cmp lead. The unit is limited to 0.08 gr/dcsf particulate matter corrected to 7% CO₂ and 500 ppmv sulfur oxides. Visible emissions are limited to 10% for a period of up to three minutes per hour, or 30% at any time. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for each unit.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (11-00535) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30-days after the date of this publication. A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

11-00515: Jenmar Corporation/J-LOK Co., 626 Gallitzin Road, Cresson, PA 16630, natural minor operating permit for the continued operation of a mine bolt resin cartridge manufacturing facility located in Cresson Township, **Cambria County**. Air contamination sources at this facility consist of the following processes: resin handling for mine bolt cartridge production (including limestone receivers, mixing tanks, resin storage silos, and packaging lines), three (3) 132-ton limestone storage silos, one (1) 30-gallon parts washer, and three (3) miscellaneous natural gas-fired heating sources totaling 3.31 MMBtu/hr. Emissions are controlled through the use of four (4) bin vents per limestone receiver, three (3) 700 scfm cartridge collectors on the limestone storage silos, and one (1) activated carbon adsorption unit for the manufacturing process. Emissions from this site are estimated to be 1.5 TPY NO_x, 1.4 TPY VOC, 1.3 TPY CO, 1,706 TPY CO₂e, and less than 1.0 TPY for all other criteria pollutants and HAPs. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed operating permit includes emission restrictions, monitoring, recordkeeping, reporting, and work practice standards requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permitting Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (11-00515) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

All comments must be received prior to the close of business 30-days after the date of this publication.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional

Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

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

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

42-00184: Keystone Powdered Metal, Company, 8 Hanley Drive, Lewis Run, PA 16738, the Department intends to issue the renewal State-Only Operating Permit of a powdered metal manufacturing facility located in Lewis Run Borough, **McKean County**. Permitted air contamination sources at the facility include sintering furnaces, a tempering furnace and an induction heat treater, a water evaporator, an emergency engine, and a parts washer. The emergency engine is subject to 40 CFR 63 Subpart ZZZZ. In this renewal, four additional sintering furnaces authorized through RFDs are incorporated as permitted sources. An induction heat treater, which is no longer onsite, is removed as a permitted source. For permitting purposes, the facility is Natural Minor.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

35-00042: Pennsylvania American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055, for the operation of Sludge holding tank, two belt filter presses and three rotary drum scum thickeners that are controlled by a wet scrubber (C04) at the facility located in Scranton City, **Lackawanna County**. Odor emissions are controlled by using wet scrubber. This is a natural minor operating permit. The natural minor operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Natural Minor Operating Permit Renewal for operation of air pollution sources at the following facility:

OP21-000029: Social Security Administration Office, 300 Spring Garden Street, Philadelphia, PA 19123, for the operation of office building, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) boilers firing natural gas or No. 2 oil during periods of natural gas curtailment rated less than 6 MMBtu/hr, one (1) boiler firing natural gas rated less than 3 MMBtu/hr, and one (1) emergency generator firing diesel fuel rated 1,676 HP. The operating permit will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information

are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments or request for public hearing within 30-days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least 30-days before the hearing.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21)

Mining activity permits issued in response to such applications are also subject to applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires

to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

Coal Applications Received

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 Maximum</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 Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100, (Contact: Bonnie Herbert).

Permit No. 30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company, LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, to revise the permit and related NPDES Permit for installation of a cement borehole in Richhill and Morris Townships, **Greene County**, affecting 1.8 surface acres. Application received: November 9, 2021.

Permit No. 03851303 and NPDES No. PA0213462. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, a renewal, a revision and a transfer of the permit and related NPDES Permit to renew for reclamation only, delete surface activity area that will be transferred to the McVile Complex Permit and to transfer the permit from McVile Mining Company to Rosebud Mining Company in South Buffalo Township, **Armstrong County**, affecting 40.0 surface acres. Application received: November 10, 2021.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

Permit No. 49860102. Farragut Anthracite Company, 122 Wilburton Road, Mt. Carmel, PA 17851, renewal of an anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Coal and Zerbe Townships, **Northumberland County**, affecting 814.6 acres. Receiving stream: unnamed tributary to Carbon Run, classified for the following uses: CWF, MF. Application received: January 4, 2022.

Permit No. 49170101. Big Mountain Anthracite, P.O. Box 64, Spring Glen, PA 17978, renewal of an anthracite surface mine operation in Zerbe Township, **Northumberland County**, affecting 73.0 acres. Receiving stream: Zerbe Run, classified for the following uses: CWF, MF. Application received: January 5, 2022.

Noncoal Applications Received

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.			

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EPMOSHANNON@pa.gov (Contact: Ashley Smith).

Permit No. 08212802 and GP-104. PAM222001. Rock Ridge Quarries, Inc., 1099 Back Road, Sugar Run, PA 18846. New permit application for a small noncoal (industrial minerals) operation located in Wilmot Township, **Bradford County**, affecting 5.0 acres. Receiving stream(s): Sugar Run Creek classified for the following use(s): CWF, MF. Application received: December 20, 2021.

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEWSTANTON@pa.gov (Contact: Tracy Norbert).

Application No. 63192001 and NPDES No. PA0278360. Neiswonger Construction, Inc., 17592 Route 322, Strattanville, PA 16258. For commencement, operation and restoration of a large noncoal surface mine located in Deemston Borough, **Washington County**, affecting 336.7 acres. Receiving streams: Ten Mile Run, classified for the following uses: TSF. Application received: January 11, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

NPDES Permit No. PA0226271 (Mining Permit No. 58220801). Saula Natural Stone, LLC, 281 Church Street, Floor 1, Great Bend, PA 18821, new NPDES Permit on a small noncoal quarry operation in New Milford Township, **Susquehanna County**, affecting 5.0 acres. Receiving stream: East Lake Creek, classified for the following uses: HQ-CWF and MF. Application received: December 27, 2021.

NPDES Permit No. PA0226289 (Mining Permit No. 58222503). Robert R. Reddon, 927 Germantown Road, Susquehanna, PA 18847, new NPDES Permit on a GP105 quarry operation in Harmony Township, **Susquehanna County**, affecting 10.0 acres. Receiving stream: East Branch Hemlock Creek, classified for the following uses: CWF and MF. Application received: January 3, 2022.

NOTICE OF PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT

The Environmental Good Samaritan Act (27 Pa.C.S.A. §§ 8101—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the Department.

The following project proposals have been received by the Department of Environmental Protection. A copy of the proposals is available for inspection at the office indicated for each proposal. Written comments or objections may be submitted by any person or any office or head of any Federal, State, or local government agency or authority to the Department at the same address within 30-days of this publication. Written comments or objections should contain the name, address and phone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

PROJECT PROPOSALS RECEIVED

Southwest District: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.

EGS65-0002: Cline # 1 Abandoned Well Plugging, Foxlane Homes at Villa Ciano, LLC, 1243 Easton Road, Warrington, PA 18976, is planning to plug an abandoned oil and gas well (API No. 129-00856) located in Murrysville Borough, **Westmoreland County**. The well is located on the north side of Cline Hollow Road in Murrysville, between the locations where Cline Hollow Road intersects Alton Court and Fernhurst Court (-79.646671, 40.430495). Complete project proposal received January 5, 2022.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l

pH must always be greater than 6.0; less than 9.0.

Alkalinity must always be greater than acidity.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

Additional criteria

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan, and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters of this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Submittal of comments

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit notice within 30-days of this notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and phone number of the writer and a concise statement to inform the Department of the basis of a comment and the relevant facts upon which it is based.

Requests or petitions for a public hearing on any NPDES permit applications will be accepted as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, phone number and the interest of the party filing the request and state the reasons why a hearing is warranted. The Department may hold a public hearing if the public interest is significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Noncoal NPDES Draft Permits

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

Lehigh Cement Company, LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit in Upper and Lower Nazareth Townships and Nazareth Borough, **Northampton County**, affecting 259.7 acres. Receiving stream: unnamed tributary to Shoeneck Creek, classified for the following use: WWF. Application received: February 11, 2021.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to Schoeneck Creek:

<i>Outfall number</i>	<i>New or existing</i>	<i>Type</i>	<i>Discharge rate</i>
001	Existing	Treatment Facility Outfall	1.25 MGD

The proposed effluent limits for the previously listed outfall are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	6.0	-	-	9.0
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)	-	35.0	70.0	90.0
Flow (MGD)		1.25	1.75	
Acidity (mg/L)			Report	
Alkalinity (mg/L)			Report	
Oil and Grease (mg/L)			Report	
Hexavalent Chromium (µg/L)			Report	
Thallium (µg/L)			Report	
Mercury (µg/L)			Report	

NPDES Permit No. PA0226165 (Mining Permit No. 6575SM2), Eureka Stone Quarry, Inc., P.O. Box 249, Chalfont, PA 18914. The Department has made a tentative determination to impose the following effluent limitations for the new NPDES Permit for Saylorburg Sand Plant Operation located in Hamilton Township, **Monroe County**, affecting 135.3 acres. Receiving stream: No Discharge to unnamed tributary to McMichael Creek, classified for the following use: HQ-CWF. Application received: February 23, 2021.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
N/A	N	No Discharge

The proposed effluent limits for the previously listed outfall are as follows: No discharge

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Gillian Pehala, Clerk Typist 2, 570-830-3077.

E3502221-009. Lackawanna County, 1 Bald Mountain Road, Scranton, PA 18507, in Dunmore Borough, Elmhurst Township, Roaring Brook Township, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To authorize the following water obstructions and encroachments associated with a 3.5-mile recreational trail along Roaring Brook (CWF, MF). There are 29 existing culverts along the trail and 7 new culverts are proposed. The culverts or activities which do not qualify under a waived activity for replacement or new construction are listed hereunder. There will be approximately 0.03 acre of permanent wetland impacts for the project.

1. (W_995_MRV_A) to fill 0.012 acre of wetlands (EV) for the recreational trail construction.

2. (W_1004_MRV_IMP1) to fill 0.003 acre of wetlands (EV) for the recreational trail construction.

3. Culvert 12 (S_407_JAR_IMP1, S_407_JAR_FW) to remove the existing structure and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of one 26-foot long, 76-inch by 48-inch elliptical RCP and two 26-foot long, 60-inch by 38-inch elliptical RCP pipes depressed 12-inches below the existing streambed elevation with concrete endwalls and rip rap aprons. Embankment grading and minor realignment of the channel is included and portions of the channel bottom and embankments will be lined with gabion baskets.

4. Culvert 32 (W_322_JAR_IMP1) to fill 0.001 acre of wetlands for the construction of a 16-foot long, 24-inch CCP stormwater culvert with endwalls and rip rap aprons.

5. (W_324_JAR_IMP) to fill 0.001 acre of wetlands for the recreational trail construction.

6. Culvert 19 (S_413_JAR_IMP1, S_413_JAR_FW) to remove the existing structure and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 46-foot long, 143-inch by 92-inch elliptical RCP depressed 12-inches below the existing streambed elevation with concrete endwalls and rip rap aprons. Embankment grading and minor realignment of the channel is included and portions of the channel bottom and embankments will be lined with gabion baskets.

7. Culvert 22 (S_416_JAR_IMP, W_1010_MRV_IMP1) to remove the existing structure and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 20.5-foot long, 24-inch CCP depressed 12-inches below the existing streambed elevation with concrete endwalls and rip rap aprons. Embankment grading and minor realignment of the channel is also included. Approximately 0.002 acre of wetlands (EV) will be permanently impacted.

8. (S_417_JAR_FW, S_417_JAR_IMP) to place fill in the floodway of a UNT to Roaring Brook (CWF, MF) for the approaches of the existing crossing. Embankment grading in the floodway is also included.

9. Culvert 34 (S_421_JAR_IMP) to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 24-foot long, 18-inch CCP depressed 12-inches below the existing streambed elevation with concrete endwalls and rip rap aprons. Embankment grading and approximately 100 feet of channel grading and realignment is also included.

10. (W_1013_MRV_B_IMP1) to fill 0.007 acre of wetlands for the recreational trail construction.

11. Culvert 36 (S_426_JAR_IMP1, S_426_JAR_IMP2) to fill in a portion of the watercourse and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 33-foot long, 12-inch CCP depressed 12-inches below the existing streambed elevation with concrete endwalls and rip rap aprons. The channel bottom will be lined with gabion baskets.

12. Culvert 31 (S_427_JAR_IMP1, S_426_JAR_IMP2, S_427_JAR_IMP1, W_1015_MRV_IMP1) to fill in a portion of the watercourse and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 25-foot long, 22-inch by 34-inch elliptical RCP depressed 12-inches below the existing streambed elevation with concrete endwalls and rip rap aprons. Embankment grading and minor realignment of the channel is included and portions of the channel bottom will be lined

with gabion baskets. Approximately 0.001 acre of wetlands (EV) will be permanently impacted

13. Culvert 25 (S_428_JAR_IMP1, S_428_JAR_FW) to remove the existing structure and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of one 24-foot long, 45-inch by 29-inch elliptical RCP and two 24-foot long, 24-inch by 38-inch elliptical RCP pipes depressed 12-inches below the existing streambed elevation with concrete endwalls and rip rap aprons. Embankment grading and minor realignment of the channel is included and portions of the channel bottom and embankments will be lined with gabion baskets.

14. Culvert 30 (W_1017_MRV_IMP) to fill 0.0001 acre of wetlands for the construction of a 20-foot long, 18-inch CPP stormwater culvert with endwalls and rip rap aprons.

The project begins at the intersection of the former Erie-Lackawanna Rail Corridor and Roaring Brook (Olyphant, PA Quadrangle: Lat: 41.394923 N; Long: -75.581518 W) and ends approximately 3.5 miles southeast along the existing former Erie-Lackawanna Rail Corridor (Olyphant, PA Quadrangle, Latitude: 41° 23' 41.7228"; Longitude: -75° 34' 53.4648").

E4002221-020. Joseph and Connie Doyle, 2649 Lakeside Drive, Harveys Lake, PA 18618, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove an existing boathouse and dock and to construct and maintain a 720 ft², pile-supported boathouse, a 680 ft², pile-supported lakehouse, and a 978 ft², pile-supported dock within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at Pole 243 along Lakeside Drive (S.R. 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 39"; Longitude: -76° 2' 31.75") in Harveys Lake Borough, Luzerne County.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

E4206222-001. Highland Field Services, LLC, 51 Zents Blvd, Brookville PA 15825, Hexion Expansion, in Sergeant Township, **McKean County**, ACOE Pittsburgh District (Hazel Hurst and Mount Jewett, PA Quadrangle N: 41.682881; W: -78.629507).

The applicant proposes to expand an existing facility for storage of materials and stormwater management controls. The project will impact 0.88 acre of Palustrine Emergent Wetlands. The applicant is proposing to mitigate the impacts to wetlands by construction 0.88 acre of Palustrine Emergent Wetlands on site.

E3206221-003. Norfolk Southern Railway, 1200 Peachtree Street, Atlanta, GA 30309. Bridge SG-288.70 Maintenance Repairs, in West Wheatfield Township, **Indiana County**, ACOE Pittsburgh District (USGS, PA Quadrangle N: 40°, 23', 26.4"; W: 79°, 05', 0.16").

To install a 102-foot long, 11-foot wide by 100-foot tall steel liner within an existing 12-foot wide by 10-foot tall and 48-foot long stone arch bridge across an unnamed tributary (CWF) to Conemaugh River on the existing Norfolk Southern Railroad line at milepost 288.70 near New Florence in West Wheatfield Township, Indiana County.

Wilkes-Barre District: District Engineer, 2 Public Sq, Floor 5, Wilkes-Barre, PA 18711-0790.

E5811-2-21-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, 2 Public Square, 5th Floor, Wilkes-Barre,

PA 18711. Abandoned Mine Land Economic Revitalization (AMLER) project in Forest City Borough and Clinton Township, **Susquehanna** and **Wayne County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to eliminate a 600 feet erosion channel along the Lackawanna River which was created from high water conditions in 2004. This involves constructing a new retaining wall and rip rap armor where the erosion channel deviated from the original channel. This riprap area will also serve as a small watercraft launch site. Two additional segments will also be armored with rip rap and retaining walls to prevent further erosion. The project will also include the construction of a coarse aggregate parking area and access road. The AML features, consisting of 16.2 acres of Dangerous Pile or Embankment (DPE), 34.5 acres of Gob (GO) and one Hazardous Equipment or Facilities (HEF) will be reclaimed, and the site will be uniformly graded and revegetated. Latitude: 41° 39' 8.157" N; Longitude: -75° 27' 45.699" W.

ENVIRONMENTAL ASSESSMENTS

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

EA2506222-001. Western Pennsylvania Conservancy, 800 Waterfront Drive, Pittsburgh, PA 15222. Elk Creek Restoration Project, in Girard Township, **Erie County**, ACOE Pittsburgh District (Fairview, PA Quadrangle N: 42.011377; W: -80.361635).

The applicant proposes to conduct approximately 600 linear feet of bank stabilization and remediation in and along Elk Creek to repair severely eroded stream bank. The project also includes the installation of numerous rock weirs and stone deflectors along with riparian plantings. The project is located approximately 0.2 mile east of the intersection of North Creek Road (T543) and the CNX railroad crossing. The project extends from the existing railroad crossing upstream approximately 600 linear feet.

Central Office: Waterways Engineering & Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, (717) 787-3411.

EA3803221-002. North Cornwall Township, 320 South 18th Street, Lebanon, PA 17042, North Cornwall Township, **Lebanon County**, U.S. Army Corps of Engineers Baltimore District.

The project proposes to remove approximately 79,000 cubic yards of legacy sediment along Quittapahilla Creek (TSF) and an unnamed tributary for the purpose of restoring natural aquatic resources, including restoration of approximately 11 acres of integrated wetlands and stream areas within the floodplain; to realign approximately 2,000 linear feet of watercourses; to place stream and valley grade control structures; to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct rock construction entrances, temporary stream crossings, and other erosion controls during restoration activities. The restoration project is located within floodplain areas of the Quittapahilla Creek beginning approximately 1,600 linear feet downstream of the South 16th Street and the terminus of a concrete flood control channel and ending at the South 22nd Street Bridge in the City of Lebanon, PA USGS Quadrangle: Lebanon, Latitude: 40.337006; Longitude: -76.447754.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended, and renewed NPDES and WQM permits, applications for permit waivers, and NOIs for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated county conservation district (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a, including links to Individual 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.

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.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov.

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.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov.

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

<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>
PA0276413	Industrial Stormwater Individual NPDES Permit	Issued	Amazon Com Service Inc. P.O. Box 80842 NA Env Dept Seattle, WA 98108-0842	Jessup Borough Lackawanna County	NERO
PAS802213	Industrial Stormwater Individual NPDES Permit	Issued	United Parcel Service Inc. 1821 S 19th Street Harrisburg, PA 17104-3206	Stroud Township Monroe County	NERO
0221205	Industrial Waste Individual WQM Permit	Issued	Genon Power Midwest LP P.O. Box 65 Cheswick, PA 15024-0065	Springdale Borough Allegheny County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2696203	Industrial Waste Individual WQM Permit	Issued	Keystone Land Resources, Inc. 46226 National Road Saint Clairsville, OH 43950-8742	Luzerne Township Fayette County	SWRO
0117803	Joint DEP/PFBC Pesticides Permit	Issued	Motts LLP 45 Aspers North Road Aspers, PA 17304-9486	Menallen Township Adams County	SCRO
0117806	Joint DEP/PFBC Pesticides Permit	Issued	Hoffman Homes, Inc. 815 Orphanage Road Littlestown, PA 17340-9329	Mount Joy Township Adams County	SCRO
0117807	Joint DEP/PFBC Pesticides Permit	Issued	RL Orchard Co. 2760 Carlisle Road Gardners, PA 17324-9684	Menallen Township Adams County	SCRO
0614801	Joint DEP/PFBC Pesticides Permit	Issued	High Point Camp P.O. Box 188 Geigertown, PA 19523-0188	Robeson Township Berks County	SCRO
0621806	Joint DEP/PFBC Pesticides Permit	Issued	Lausch Solomon 1586 W Leesport Road Leesport, PA 19533-9311	Bern Township Berks County	SCRO
2113816	Joint DEP/PFBC Pesticides Permit	Issued	Gleim John W Jr 625 Hamilton Street Carlisle, PA 17013-1925	Middlesex Township Cumberland County	SCRO
2117801	Joint DEP/PFBC Pesticides Permit	Issued	Rich Valley Golf, Inc. 227 Rich Valley Road Mechanicsburg, PA 17050-1743	Silver Spring Township Cumberland County	SCRO
2121805	Joint DEP/PFBC Pesticides Permit	Issued	Doubling Gap Center, Inc. 1550 Doubling Gap Road Newville, PA 17241-9758	Lower Mifflin Township Cumberland County	SCRO
2217802	Joint DEP/PFBC Pesticides Permit	Issued	Bouslough Craig 1281 Waltonville Road Hummelstown, PA 17036-8910	Derry Township Dauphin County	SCRO
2217803	Joint DEP/PFBC Pesticides Permit	Issued	Jones Emelyn 27 Shetland Drive Hummelstown, PA 17036-9238	West Hanover Township Dauphin County	SCRO
2813826	Joint DEP/PFBC Pesticides Permit	Issued	Kendig Roy 13387 Upper Strasburg Road Upper Strasburg, PA 17265-9703	Letterkenny Township Franklin County	SCRO
2817802	Joint DEP/PFBC Pesticides Permit	Issued	Fisher Jay 13278 Cumberland Highway Orrstown, PA 17244-9627	Letterkenny Township Franklin County	SCRO
3617806	Joint DEP/PFBC Pesticides Permit	Issued	The Star Barn at Ironstone Ranch 724 Lawn Road Palmyra, PA 17078	West Donegal Township Lancaster County	SCRO
3621807	Joint DEP/PFBC Pesticides Permit	Issued	Four Seasons at Elm Tree 1392 Emerson Drive Mount Joy, PA 17552-7212	Rapho Township Lancaster County	SCRO
PA0255092	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Hill Top Energy Center, LLC 278 Thomas Road Carmichaels, PA 15320-1660	Cumberland Township Greene County	SWRO
PA0001627	Major Industrial Waste Facility >= 250 MGD Individual NPDES Permit	Issued	Genon Power Midwest, LP P.O. Box 65 Cheswick, PA 15024-0065	Springdale Borough Allegheny 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>
PA0026735	Major Sewage Facility ≥ 5 MGD Individual NPDES Permit	Issued	Swatara Township Authority Dauphin County P.O. Box 4920 Harrisburg, PA 17111-0920	Swatara Township Dauphin County	SCRO
PA0216038	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Keystone Land Resources, Inc. 46226 National Road Saint Clairsville, OH 43950-8742	Luzerne Township Fayette County	SWRO
PA0255777	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Genon Power Midwest, LP P.O. Box 65 Cheswick, PA 15024-0065	Springdale Borough Allegheny County	SWRO
PA0114740	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Aqua PA, Inc. 204 E Sunbury Street Shamokin, PA 17872-4826	Coal Township Northumberland County	NCRO
PA0030571	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Louis J Mascaro Foundation Inc. 2650 Audubon Road Audobon, PA 19403	Lower Salford Township Montgomery County	SERO
PA0031917	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Blue Mountain School District 688 Red Dale Road Schuylkill Haven, PA 17972	North Manheim Township Schuylkill County	NERO
PA0033928	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	PA 2018 Town & Country, LLC 1400 Belleville Street Richmond, VA 23230-4629	Troy Township Bradford County	NCRO
PA0051586	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Tohickon Family Camping, LLC 100 Carroll Drive Dillsburg, PA 17019-9328	East Rockhill Township Bucks County	SERO
PA0062634	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Luckenbill Carol P.O. Box 280 Friedensburg, PA 17933-0280	North Manheim Township Schuylkill County	NERO
PA0080241	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	West Perry School District 2608 Shermans Valley Road Ellittsburg, PA 17024-9132	Spring Township Perry County	SCRO
PA0085502	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Deann MHP, LLC 1015 Dundee Road Dundee, FL 33838-3101	East Hanover Township Dauphin County	SCRO
PA0205559	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Jonathan Clark & Thomas Loughry Db a WJT Enterprises 4639 Route 119 Highway N Home, PA 15747-9002	Rayne Township Indiana County	NWRO

<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>
PA0028088	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Brown Township Municipal Authority Mifflin County 7748 State Route 655 Reedsville, PA 17084-9148	Brown Township Mifflin County	SCRO
PA0038164	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Confluence Borough Municipal Authority Somerset County P.O. Box 6 711 Logan Place Confluence, PA 15424-0006	Confluence Borough Somerset County	SWRO
PA0061000	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Village of Four Seasons Association RR Box 3350 Union Dale, PA 18470	Herrick Township Susquehanna County	NERO
PA0080039	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Carroll Valley Sewer & Water Authority 5685 Fairfield Road Fairfield, PA 17320-9611	Carroll Valley Borough Adams County	SCRO
PA0086304	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Earl Township Sewer Authority Lancaster County 517 N Railroad Avenue New Holland, PA 17557-9758	Earl Township Lancaster County	SCRO
0121403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Carroll Valley Sewer & Water Authority 5685 Fairfield Road Fairfield, PA 17320-9611	Carroll Valley Borough Adams County	SCRO
2294410	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Deann MHP, LLC 1015 Dundee Road Dundee, FL 33838-3101	East Hanover Township Dauphin County	SCRO
NNOEXSW23	No Exposure Certification	Issued	The Sherwin Williams Manufacturing Co. 2000 Westhall Street Pittsburgh, PA 15233-1018	Pittsburgh City Allegheny County	SWRO
PAG040210	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Hunsberger Ryan 209 Mill Road Hatfield, PA 19440	Hilltown Township Bucks County	SERO
PAG123595	PAG-12 NPDES General Permit for CAFOs	Issued	Loren & Matthew Ehst 93 Deck Road Womelsdorf, PA 19567-9137	Tulpehocken Township Berks County	SCRO
PAG124855	PAG-12 NPDES General Permit for CAFOs	Issued	JMA Farms, LLC 1078 Iron Bridge Road Middleburg, PA 17842-9320	Beaver Township Snyder County	SCRO
0621405	Sewage Treatment Facilities Individual WQM Permit	Issued	Amanda & Michael Karwic 1854 Hopewell Road Elverson, PA 19520-8610	Robeson Township Berks County	SCRO
6216404	Sewage Treatment Facilities Individual WQM Permit	Issued	Fox Vance 386 Gates Lane Russell, PA 16345-3903	Pine Grove Township Warren County	NWRO

<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>
PA0239585	Single Residence STP Individual NPDES Permit	Issued	Adams Lawrence J 125 Wallace Road Portersville, PA 16051-2129	Muddycreek Township Butler County	NWRO
PA0254282	Single Residence STP Individual NPDES Permit	Issued	Taylor Michael T 263 Moscow Road Amity, PA 15311-1234	Amwell Township Washington County	SWRO
PA0264318	Single Residence STP Individual NPDES Permit	Issued	Weaver James M 17506 State Highway 86 Saegertown, PA 16433-6338	Woodcock Township Crawford County	NWRO
PA0264661	Single Residence STP Individual NPDES Permit	Issued	Fox Vance 386 Gates Lane Russell, PA 16345-3903	Pine Grove Township Warren County	NWRO
PA0267562	Single Residence STP Individual NPDES Permit	Issued	Amanda & Michael Karwic 1854 Hopewell Road Elverson, PA 19520-8610	Robeson Township Berks County	SCRO
PA0229130	Small Flow Treatment Facility Individual NPDES Permit	Issued	Snyder G Stephen 185 Stauffer Road Bellefonte, PA 16823-4261	Liberty Township Centre County	NCRO
WQG010056	WQG-01 WQM General Permit	Issued	Hunsberger Ryan 209 Mill Road Hatfield, PA 19440	Hilltown Township Bucks County	SERO
WQG01201508	WQG-01 WQM General Permit	Issued	Weaver James M 17506 State Highway 86 Saegertown, PA 16433-6338	Woodcock Township Crawford County	NWRO

II. Final Actions on PAG-02 General NPDES Permit NOIs and Individual NPDES Permit Applications for Construction Stormwater.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090070 Renewal Only	PAG-02 General Permit	Issued	Dogwood Drive, L.P. 301 Oxford Valley Road Suite 702 Yardley, PA 19067	Lower Makefield Township Bucks County	SERO
PAC090504	PAG-02 General Permit	Issued	Neshaminy School District 2250 Langhorne-Yardley Road Langhorne, PA 19047-8245	Middletown Township Bucks County	SERO
PAC090054	PAG-02 General Permits	Issued	Waverly Place, LLC 400 Crossing Drive Bristol, PA 19007	Northampton Township Bucks County	SERO
PAC230197	PAG-02 General Permits	Permit Issuance	Upper Darby School District 4611 Bond Avenue Drexel Hill, PA 19026	Upper Darby Township Delaware County	SERO
PAC230194	PAG-02 General Permits	Permit Issuance	CG Wayne, LLC 161 Leverington Avenue Suite 101 Philadelphia, PA 19147	Radnor Township Delaware County	SERO
PAC510191	PAG-02 General Permit	Issued	Chester Realty 260 Chambersbridge Road Brick, NJ 08723	City of Philadelphia Philadelphia County	SERO
PAD090071 A-1 Major Amendment	PAG-02 General Permit	Issued	NP Falls Township Industrial, LLC 4805 Montgomery Road Suite 310 Cincinnati, OH 45212-2280	Falls Township Bucks County	SERO

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD090079	PAG-02 General Permit	Issued	Joseph Palmieri Ms. Lauri Saft 110 Bridgewater Drive New Hope, PA 18938-2238	Solebury Township Bucks County	SERO
PAD460067 A-1 Major Amendment	PAG-02 General Permit	Issued	Corson Street Acquisition, LP 3843 West Chester Pike Newtown Square, PA 19073-2304	Conshohocken Borough Plymouth Township Montgomery County	SERO
PAC540111	PAG-02 General Permit	Issued	Noble Equities, LLC 25 South Centre Street Pottsville, PA 17901	Cass Township Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742
PAD400049	Individual NPDES	Issued	Susquehanna Data, LLC 600 Hamilton Street Suite 600 Allentown, PA 18101-2130	Salem Township Luzerne County	NERO
PAC400225	PAG-02 General Permit	Issued	Yalick CCJ, LLC Jay Naparolo P.O. Box 70 Dallas, PA 18612	Newport Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC390174	PAG-02 General Permit	Issued	Stephen Castellani 7657 Catalpa Drive Macungie, PA 18062	Lower Milford Township Lehigh County	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18104 610-391-9583
PAC480129	PAG-02 General Permit	Issued	The Z Team, LP Bryan R. Zeamer 1976 Auction Road Manheim, PA 17545	Glendon Borough Northampton County	Northampton County Conservation District 14 Gracedale Ave Greystone Building Nazareth, PA 18064-9211 610-829-6276
PAD480013	Individual NPDES	Issued	J.G. Petrucci Company, Inc. c/o James G. Petrucci 171 State Route 173 Suite 201 Asbury, NJ 08802	Hanover Township Northampton County	NERO
PAD450049 A-1	Individual NPDES	Issued	Four Seasons at Camelback, LP 700 South Henderson Road Suite 202 King of Prussia, PA 19406	Pocono Township Monroe County	NERO
PAD140079	Individual Permit	Issued	Aspen Route 29 Partners, LLC College Ave & Whitehall Rd Intersection State College, PA 16801	Ferguson Township Centre County	NCRO
PAC170040	PAG-02 GP	Issued	Russell Stone Products, Inc. c/o Daniel Russell Slab Run Road Railroad Siding DuBois, PA 15801	Sandy Township Falls Creek Borough Clearfield County	Clearfield County Conservation District 6395 Clearfield- Woodland Highway Suite 2 Clearfield, PA 16830-1923

Permit Number	Permit Type	Action Taken	Applicant Name & Address	Municipality, County	Office
PAC250143	PAG-02 General Permit	Issued	Saint Mary's Home of Erie d/b/a Saint Mary's at Asbury Ridge 1781 West 26th Street Erie, PA 16508	Millcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250152	PAG-02 General Permit	Issued	Dr. James Lin 6131 Iverness Terrace Fairview, PA 16415	Fairview Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401.

Permit No. 0921521, Public Water Supply.

Applicant	The Raven's Nest Inc. 625 Old Bethlehem Road Quakertown, PA 18951
Township	Haycock
County	Bucks
Type of Facility	PWS

Consulting Engineer Frederick E. Ebert, Inc.
4397 Skippack Pike
P.O. Box 540
Skippack, PA 19474

Permit to Construct Issued December 20, 2021

Permit No. 4621514, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Township Lower Merion

County **Montgomery**

Type of Facility PWS

Consulting Engineer Joseph G. Thurwanger
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Permit to Construct Issued December 16, 2021

Permit No. 0921519, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Township Bryn Mawr/Lower Merion

County **Montgomery**

Type of Facility PWS

Consulting Engineer Christopher S. Walker
Pennoni Associates, Inc.
Suite 220
Warrington, PA 18976

Permit to Construct Issued January 10, 2022

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Permit No. 2350034, Operation Permit, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
1 Aqua Way
White Haven, PA 18661

Municipality Roaring Brook Township

County **Lackawanna**

Type of Facility Public Water Supply

Consulting Engineer Joshua P. Shoff, E.I.T.
Aqua Pennsylvania, Inc.
1 Aqua Way
White Haven, PA 18661

Permit Issued November 19, 2021

Description of Action Construction of a new
30,000-gallon finished water
storage tank in the Elmbrook
Water System.

**Permit No. 2450065, Operations Permit, Public
Water Supply.**

Applicant **Community Utilities of PA,
Inc.—Penn Estates**
(Tank 1 & 2 Painting Project)
570 Hallet Road
East Stroudsburg, PA 18301

Township Stroud Township

County **Monroe**

Type of Facility PWS

Consulting Engineer Michael Bisignani, P.E.
GHD, Inc.
298 East 5th Street
Suite 1
Bloomsburg, PA 17815

Permit to Operate December 27, 2021
Issued

*Northcentral Region: Safe Drinking Water Program,
208 West Third Street, Williamsport, PA 17701.*

Operations Permit issued to: **Aqua Pennsylvania,
Inc.—Roaring Creek Division**, 762 West Lancaster
Avenue, Bryn Mawr, PA 19010, PWSID No. 4490024,
Conyngham Township, **Columbia County**, on January 6,
2022 for the operation of facilities approved under con-
struction permit # 4921502MA. This permit authorizes
Aqua Pennsylvania, Inc. to operate the rehabilitated and
repainted Aristes water storage tank containing an NSF
Standard 61-certified mechanical mixer.

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.**

*Southwest Region: Clean Water Program, 400 Water-
front Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

Plan Location:

Borough	Borough Address	County
Mount Pleasant Borough	One Etze Avenue Mount Pleasant, PA 15666	Westmoreland

Plan Description:

The approved plan provides for the **Municipal Authority of Westmoreland County (MAWC)** to purchase the Mount Pleasant Collection and Treatment System. The proposal is in the Borough of Mount Pleasant, Westmoreland County and consists of the purchase of the entire Mount Pleasant Collection and Treatment. MAWC will assume the operation and maintenance of this wastewater collection and treatment facilities. MAWC will also assume Mount Pleasant Borough's obligations. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits

or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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: Safe Drinking Water, 909 Elmer-
ton Avenue, Harrisburg, PA 17110.*

Plan Location:

Township	Township Address	County
Washington Township	13013 Welty Road Waynesboro, PA 17268	Franklin

Plan Description:

The request for planning exemption for the **Gertrude Stilts Subdivision** (DEP Code No. A3-28922-440-3E; APS ID No. 1053979) has been disapproved. The proposed development—to be located on Fish & Game Road in Washington Township, **Franklin County**—consists of the connection of an existing single-family home to the Washington Township Municipal Authority sewage collection, conveyance and treatment system with total project flows of 400 gallons per day. This request for planning exemption has been disapproved because the submission does not qualify as an exemption from the requirement to revise the Official Plan because the proposal is not for new land development as per Chapter 71, Section 71.51(b).

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted
under the Land Recycling and Environmental
Remediation Standards Act (35 P.S. §§ 6026.101—
6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5787.

Contact: Charline Bass.

Temple Sinai, 1401 Limekiln Pike, Dresher, PA 19025, Upper Dublin Township, **Montgomery County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Jeffrey Goldstein, Temple Sinai, 1401 North Limekiln Pike, Dresher, PA 19025 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide health standard.

Former Ashbourne Country Club, 1100 Ashbourne Road, Cheltenham, PA 19012, Cheltenham Township, **Montgomery County**. Jeffrey K. Walsh, PG, Penn Environmental & Remediation, Inc., 400 Old Dublin Pike, Doylestown, PA 18901 on behalf of Louis Dalesio, Land Group LTD/Liberty Development Company, 1930 Route 309, Coopersburg, PA 18036 submitted a Final Report concerning remediation of site soil contaminated with arsenic, lead and mercury. The report is intended to document remediation of the site to meet the Statewide health standard.

Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Former Childs Train Yard, Meredith Street, Carbondale, PA 18407, Carbondale Township, **Lackawanna County**. Quad 3 Group, 37 North Washington Street, Wilkes-Barre, PA 18701, on behalf of Lackawanna Heritage Valley Authority, 213 Railroad Ave, Scranton, PA 18505, submitted a Final Report concerning remediation of soil contaminated by lead from historic operations as a rail yard. The report is intended to document remediation of the site to meet Statewide health standards.

Barton Court Mobile Home Park-Lot 156, 156 Barton Court, Bartonsville, PA 18321, Pocono Township, **Monroe County**. Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of ARX Ventures, 1199 Lancaster Avenue, Suite 100, Berwyn, PA 19312, submitted a Final Report concerning remediation of soil and groundwater contaminated by heating oil from an aboveground storage tank. The report is intended to document remediation of the site to meet Statewide health standards.

Bethlehem Commerce Center Site—Lot 11, 1810 Spillman Drive, Bethlehem, PA 18015, Bethlehem City, **Northampton County**. HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, submitted a Cleanup Plan concerning remediation of site soils con-

taminated from historic operations. The report is intended to document remediation of the site to meet the site-specific standard.

Bethlehem Commerce Center Site—Lot 90, 1010 Harvard Avenue, Bethlehem, PA 18015, Bethlehem City, **Northampton County**. HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, submitted a Cleanup Plan concerning remediation of site soils contaminated with metals from historic operations. The report is intended to document remediation of the site to meet the site-specific standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the

appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

C. Larue Pad 2, 2310 State Route 3010, Springville, PA 18844, Dimock Township, **Susquehanna County**. Folsom Engineering, 117 Roger Hollow Road, Mehoopany, PA 18629 on behalf of Coterra Energy Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil contaminated by natural gas well drilling operations. The Final Report demonstrated attainment of a combination of Background and Statewide health standards and was approved by DEP on January 12, 2022.

Southeast Region: Environmental Cleanup & Brownfield Program, 2 East Main Street, Norristown, PA 19401 484-250-5787.

Contact: Charline Bass.

388 Smithbridge Road, 388 Smithbridge Road, Glen Mills, PA 19342, Concord Township, **Delaware County**. Joseph Diamadi, Jr., Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Susan M. Gallagher, 319 Buckeye Lane, West Chester, PA 19382 submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, MTBE, cumene, naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrate attainment of the Statewide health standard and was approved by the Department on December 15, 2021.

Philadelphia Energy Solutions Refinery (AOI-4), 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Tiffani L. Doerr, PG, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19083 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with VOCs, SVOCs, and metals. The Report was approved by the Department on December 29, 2021.

Philadelphia Energy Solutions Refinery (AOI-9), 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Tiffani L. Doerr, PG, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19083 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with VOCs, SVOCs, and lead. The Report was approved by the Department on December 27, 2021.

Waterside Development—Parcel B, 2215 State Road, Bensalem, PA 19020, Bensalem Township, **Bucks County**. Jeffrey K. Walsh, PG, Penn E&R, Inc., 400 Old Dublin Pike, Doylestown, PA 18901 on behalf of Daniel Stewart, US Home Corporation d/b/a Lennar, 1285 Drummers Lane, Suite 100, Wayne, PA 19087 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with acenaphthylene, acetone, anthracene, arsenic, barium, benzene, benzo(a)-

anthracene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chromium, chrysene, cumene, dibenzo(a,h)anthracene, ethylbenzene, fluoranthene, fluorene, indeno(1,23-cd)pyrene, mercury, methyl ethyl ketone, naphthalene, PCB-Aroclor 1254, phenanthrene, pyrene, tetrachloroethene, toluene, trichloroethene, 1,2,4-trimethylbenzene (TMB), 1,3,5-TMB and xylenes. The Final Report demonstrated attainment of the Statewide health standard/site-specific standard and was approved by the Department on November 30, 2021.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Draft Permits Issued, Revised or Withdrawn Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Christina Wilhelm.

PAR005033055. Wabtec US Rail, Inc.—GE Transportation Erie Facility (GETEF), 2901 East Lake Road, Erie, PA 16531, Lawrence Park Township, **Erie County**. Draft permit issued, on January 19, 2022. The draft permit is for the storage of metal and organic hazardous waste generated from its manufacturing operations until off-site shipments can be made to a disposal or treatment facility. This is a renewal of the existing permit the facility currently operates under.

Comments concerning the application should be directed to Christina Wilhelm, Waste Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Regional Office, 814.332.6848. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, 800.654.5984. Public comments must be submitted within 45 days of this notice and may recommend revisions to, and approval or denial of, the application.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.

GP14-23-0138: Lewis M. Hunt Irving Funeral Home, Inc., 2316 Providence Avenue, Chester City, PA 19013-5221. On January 12, 2022, for a Facultatieve Technologies FT III Crematory in Chester City, **Delaware County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

AG5-08-00013A: Regency Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, on

January 10, 2022, was authorized to construct and operate of one (1) new 5,000 bhp natural gas-fired Caterpillar model G3616LE lean-burn compressor engine (identified as Engine 8) equipped with selective catalytic reduction and an oxidation catalyst and also re-authorized for the continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at the Taylor Compressor Station located in Canton Township, **Bradford County**.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

GP5-30-00223C/AG5-30-00023A: Cygrymus Compressor Station: EQM Gathering Opco, LLC, 2200 Energy Drive, Canonsburg, PA 15317, on January 10, 2022, to continue the operation of existing: five natural gas-fired G3606 Caterpillar engines each rated at 1,775 bhp controlled by oxidation catalysts, one natural gas-fired emergency generator rated at 304 bhp equipped with oxidation catalyst, one dehydrator rated at 150 MMsfd controlled by a flare rated at 12 MMBtu/hr, four storage tanks 8820-gallon each, and ten miscellaneous storage tanks for waste oil and glycol at their existing Cygrymus Compressor Station located in Gilmore Township, **Greene County**.

GP5-63-00948E/AG5-63-00017A: MarkWest Liberty Midstream and Resources, LLC, 1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202-2137, on January 10, 2022, to allow the continued operation of existing sources and modified sources which include: Three (3) Caterpillar rated at 1,340 bhp each and controlled by oxidation catalysts, one Waukesha rated at 1,480 bhp controlled by NSCR catalyst, one dehydrator unit controlled by a 7.0 MMBtu/hr flare, a reboiler rated at 1.0 MMBtu/hr, and three produced water and condensate tanks each with a capacity of 400 bbl at their existing Tufta Day Compressor Station located in Amwell Township, **Washington County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

35-00038B: Lockheed Martin, 459 Kennedy Drive, Archbald, PA 18403, on January 13, 2022 for the construction of one in-line liquid cleaning machine to serve as a printed circuit board washer at the facility located in Archbald Borough, **Lackawanna County**.

48-00093B: Oldcastle APG Northeast, Inc., 800 Uhl-er Road, Easton, PA 18040-6671, was issued on January 12, 2022, for operation of an existing aggregate rotary dryer and cooler rated at 100 TPH, and two associated baghouses. The plan approval also corrects an existing error to redesignate the existing block plant fabric collector ID as C01.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

05-03022A: Cronimet Specialty Metals USA, Inc., 172 Friendship Village Road, Bedford, PA 15522, on January 13, 2022, for the construction of four burnoff ovens and two tungsten carbide cleaning lines at the metals recovery and recycling facility located in Bedford Township, **Bedford County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.

09-0196K: Abington Reldan Metals, 550 Old Borden-town Road, Fairless Hills, PA 19030-4510. On January 13, 2022 for the replacement of existing Acid Room NO_x Scrubber (Source ID C10) with a new NO_x Scrubber (Source ID C21) in Falls Township, **Bucks County**.

09-0243: Gelest, Inc., 11 Steel Road E, Morrisville, PA 19067-3613. On January 13, 2022, for the installation of blenders and hammermills at a new facility. Particulate matter emissions will be reduced by using dust collectors for each ribbon blender mill, and volatile organic compound emissions will be reduced by using a condenser on the vacuum tumble dryer, Falls Township, **Bucks County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-05016H: RH Sheppard Co., Inc., 101 Philadelphia Street, Hanover, PA 17331, on January 13, 2022, for the modification of the Sinto and Disa Sand Preparation Lines, which includes the construction of two new sand mixers, two new bucket elevators, two new shutoff hoppers, five new belt conveyors, a new compactability tester, and the installation of a new baghouse at the facility located in Hanover Borough, **York County**. The plan approval was extended.

06-05069AB: East Penn Manufacturing Co., Inc., P.O. Box 147, Lyon Station, PA 19536, on January 7, 2022, for the installation of battery manufacturing equipment controlled by baghouses, mist eliminators or filtration systems. The equipment will be installed in the Industrial Battery Manufacturing Facility located at East Penn's Lyon Station Plant in Richmond Township, **Berks County**. The plan approval was extended.

07-03068A: Altoona Water Authority—Westerly WWTF, 144 Treatment Plant Road, Duncansville, PA 16635, on January 11, 2022, for the construction of two (2) new digester gas fired boilers and one candlestick flare at the wastewater treatment facility in Allegheny Township, **Blair County**. The digester gas boilers will be

controlled by low NO_x burners and flue gas recirculation (FGR). The plan approval was extended.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

14-00043A: University Area Joint Authority, 1576 Spring Valley Road, State College, PA 16801, on January 11, 2022, to extend the plan approval expiration date to August 8, 2022 to allow continued operation of a biofilter for the treatment of malodors at the Spring Creek Pollution Control Facility's sewage sludge handling operations located in College Township, **Centre County**.

08-00016B: Dalrymple Gravel & Contracting Co., Inc., 2105 South Broadway, Pine City, NY 14871, on January 12, 2022, to extend the plan approval expiration date to July 11, 2022, to allow continued temporary operation of a replacement burner pending shakedown and compliance demonstration at their facility located in Athens Township, **Bradford County**. The plan approval has been extended.

08-00016C: Dalrymple Gravel & Contracting Co., Inc., 2105 South Broadway, Pine City, NY 14871, on January 12, 2022, to extend the plan approval expiration date to July 11, 2022, to allow continued temporary operation of a replacement burner pending shakedown and compliance demonstration at their facility located in Athens Township, **Bradford County**. The plan approval has been extended.

49-00064A: Milton Regional Sewer Authority, 5585 State Route 405, Milton, PA 17847, on January 11, 2022, to extend the plan approval expiration date to July 10, 2022, to allow continued temporary operation of sources at their facility located in West Chillisquaque Township, **Northumberland County**. The plan approval has been extended.

14-00003J: Penn State University, 208 Office of Physical Plant, University Park, PA 16802, on January 10, 2022, was issued a plan approval extension that authorizes continued operation of the Ag Digester (Source ID P201) at their University Park Campus in State College, **Centre County**, and to allow for additional time in order to complete project shakedown and perform the source test. The plan approval has been extended for an additional 180 days.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

63-00999A: EQM Gathering Opco, LLC, 2200 Energy Drive, Canonsburg, PA 15317. Administrative Amendment issued on January 11, 2022, to update the facility owner from "EQM Poseidon Midstream" to "EQM Gathering Opco, LLC." EQM operates five compressor engines, two tri ethylene glycol dehydrators, four produced water tanks, three low pressure pig receivers, one high pressure pig launcher, miscellaneous lubrication oil tanks, and piping components in natural gas service at Blue Moon Compressor Station located in West Pike Run Township, **Washington County**.

PA-63-00549C: Arden Landfill, Inc., 100 Rangos Lane, Washington, PA 15301, on January 12, 2022, to extend the temporary operation period of the sources authorized under PA-63-00549C which combined PA-63-00549A for the landfill gas-to-energy plant and PA-63-

00549B for the landfill capacity expansion for the facility located in Chartiers Township, **Washington County**. The new expiration date is July 28, 2022.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543.

Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

IP21-001000: Philly Shipyard, Inc., 2100 Kitty Hawk Avenue, Philadelphia, PA 19112. The Facility requested an extension for plan approval IP 17-000074 for installation of Paint Hall No. 3. The Plan approval extension request has been approved on January 4, 2022 for their facility in **Philadelphia County**.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-05006: York County Solid Waste & Refuse Authority, 2700 Blackbridge Road, York, PA 17406-7901, on January 12, 2022, for the York County Resource Recovery Facility located in Manchester Township, **York County**. The Title V permit was renewed.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

59-00004: Ward Manufacturing, LLC, P.O. Box 9, Blossburg, PA 16912-0009, on January 13, 2022, was issued a renewal Title V Operating Permit for the Blossburg Plants 1—3 located in Blossburg Borough, **Tioga County**. The Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

53-00003: National Fuel Gas Supply Corporation, Inc., 6363 Main Street, Williamsville, NY 17754, on January 13, 2022 issued a Title V Operating Permit for their Ellisburg Compressor Station located in Allegany Township, **Potter County**. The Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

46-00112: Palmer International, Inc., 2036 Lucon Road, Skippack, PA 19474. On January 10, 2022, is a non-Title V, Synthetic Minor facility for the manufacture of resins and friction particles at their facility located in Skippack Township, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-03115: Garrod Hydraulics, Inc., 1050 Locust Point Road, York, PA 17402-6059 on January 12, 2022, for the hard chrome electroplating facility located in East Manchester Township, **York County**. The State-Only permit was renewed.

36-03030: Allan Myers Materials PA, Inc., 330 Quarry Road, Leola, PA 17540-9733 on January 10, 2022, for the stone crushing plant at the Talmage Quarry located in Upper Leacock Township, **Lancaster County**. The State-Only permit was renewed.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

17-00076: Sensus USA, Inc., 805 Liberty Boulevard, DuBois, PA 15801, was issued on January 14, 2022, a State Only Natural Minor Operating Permit for their Dock Street Plant # 2 source operations in the City of DuBois, **Clearfield County**. All applicable Federal and State regulatory requirements derived from 25 Pa. Code Chapters 121—145, including appropriate testing, monitoring, recordkeeping, reporting, and work practice to verify compliance are included in the permit.

17-00046: HPM Industries, Inc., d/b/a Atlas Pressed Metals, 125 Tom Mix Drive, DuBois, PA 15801, was issued on January 14, 2022, a State Only Natural Minor Operating Permit for their powdered metal parts manufacturing facility in DuBois City, **Clearfield County**. All applicable Federal and State regulatory requirements derived from 25 Pa. Code Chapters 121—145, including appropriate testing, monitoring, recordkeeping, reporting, and work practice to verify compliance are included in the Operating Permit for the above Natural Minor facility.

18-00025: Moriarty Funeral Home & Crematory, 112 East Church Street, Lock Haven, PA 17745, on January 14, 2022, was issued a renewal State Only (Natural Minor) Operating Permit for their crematory facility located in Lock Haven, **Clinton County**. All applicable Federal and State regulatory requirements derived from 25 Pa. Code Chapters 121—145, including appropriate monitoring, recordkeeping, reporting, and work practice to verify compliance are included in the permit.

60-00020: Pik Rite, Inc., 60 Pike Rite Lane, Lewisburg, PA 17837, on January 14, 2022, was issued a renewal State Only Operating Permit for their facility in Buffalo Township, **Union County**. All applicable Federal and State regulatory requirements derived from 25 Pa. Code Chapters 121—145, including appropriate monitoring, recordkeeping, reporting, and work practice to verify compliance are included in the permit.

Southwest Region, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

63-01031: TMS International, LLC/Eighty-Four Facility, 42 84 Drive, Eighty-Four, PA 15330. On January 14, 2022, the Department issued a natural minor State

Only Operating Permit for the operation of a steel cutting plant. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at their facility located in South Strabane Township, **Washington County**.

04-00731: US Electrofused Minerals/Beaver Co. Ind. Park, 600 Steel St., Aliquippa, PA 15001. On January 14, 2022, the Department issued a natural minor State Only Operating Permit for the operation of an aluminum oxide processing operation. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at their facility located in Aliquippa City, **Beaver County**.

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

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

25-00944: PHB, Incorporated, Die Casting Division, 7900 West Ridge Road, Fairview, PA 16415. On January 11, 2022, the Department issued the renewal State Only Natural Minor Operating Permit for operation of the Die Casting Division facility owned by PHB, Inc. located in Fairview Township, **Erie County**. The facility operates die casting presses to manufacture zinc and aluminum components for the automotive and electronics industries. The primary emission sources include zinc and aluminum casting operations, zinc and aluminum melt furnaces, miscellaneous boilers, shot blasting, grinding operations, parts washers, and emergency generator engines. The potential emissions of the primary pollutants from the facility are as follows: 45.02 TPY PM₁₀, 42.12 TPY PM_{2.5}, 34.14 TPY NO_x, 0.30 TPY SO_x, 26.55 TPY CO, and 4.91 TPY VOC; thus, the facility is a natural minor. The sprinkler system diesel generator and plant lighting generators are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary RICE. The natural gas emergency generator for offices is subject to 40 CFR 60 Subpart JJJJ, NSPS for Stationary Spark Ignition ICE. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Natural Minor Operating Permit Renewal for operation of air pollution sources at the following facility:

OP21-000029: Social Security Administration Office, 300 Spring Garden Street, Philadelphia, PA 19123, for the operation of office building, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) boilers firing natural gas or No. 2 oil during periods of natural gas curtailment rated less than 6 MMBtu/hr, one (1) boiler firing natural gas rated less than 3 MMBtu/hr, and one (1) emergency generator firing diesel fuel rated 1676 HP. The Operating Permit will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

The Operating Permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the above Operating Permit must submit the protest, comments or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the Operating Permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: Janine Tulloch-Reid, New Source Review Chief—Telephone: 484-250-5920.

09-00196: Abington Reldan Metals, LLC, 550 Old Bordertown Road, Fairless Hills, PA 19030-4510, for a minor modification of SOOP No. 09-00196 for its facility located in Falls Township, **Bucks County**. The minor modification is for the replacement of the two 1.2 MMBtu/hr burners of the Wickberg thermal destructor afterburner with one 2.0 MMBtu/hr burner. The modified SOOP includes monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Minor modification of SOOP No. 09-00196. is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103).

Coal Permits Issued

California District Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100, (Contact: Bonnie Herbert).

Mining Permit No. 30841316 and NPDES Permit No. PA0213535. Consol Pennsylvania Coal Company, LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317 to revise the permit and related NPDES Permit for the 6 South 3 Portal Site and to add one (1) NPDES outfall, a sewage treatment plant, and eight (8) boreholes located in Richhill and Aleppo Townships, **Greene County**, affecting 43.4 surface acres. Receiving stream(s): South Fork Dunkard Fork. Application received: August 24, 2018. Permit issued: November 10, 2021.

Mining Permit No. 11841301 and NPDES Permit No. PA0001317. ArcelorMittal Pristine Resources, LLC, 129 Bethlehem Road, P.O. Box 36, Revloc, PA 15948, renew the permit and related NPDES Permit for reclamation and water treatment only located in Cambria, Allegheny, Munster, Portage, Summerhill, and Croyle Townships, **Cambria County**. Application received: February 11, 2019. Permit issued: November 16, 2021.

Mining Permit No. 30743702. Keystone Land Resources, Inc., 46226 National Road, St. Clairsville, OH 43950, a transfer of the permit from Murray American Energy, Inc. to Keystone Land Resources, Inc. located in Wayne Township, **Greene County**. Application received: November 17, 2020. Permit issued: November 17, 2021.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, RA-EPCAMBRIA@pa.gov, (Contact: Melanie Ford-Wigfield).

Permit 32950202 and NPDES No. PA0213039. Compass Coal Co., Inc., 2680 Old Route 119 Highway North, Indiana, PA 15701. Permit transfer from Cambria Reclamation Corporation, 2929 Allen Parkway, Suite 3275, Houston, TX 77019-000 for the continued operation and restoration of a bituminous surface refuse reprocessing mine in Center Township, **Indiana County**, affecting 287.3 acres. Receiving streams: Unnamed tributary to/ and Yellow Creek classified for the following uses: CWF and TSF. There are no potable water supply intakes within 10 miles downstream. Application received: August 5, 2021. Permit issued: January 10, 2022.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, RA-EPKNOX@pa.gov, (Contact: Cayleigh Boniger).

Mining Permit No. 10120106. Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, Revision to an existing bituminous surface mine to change the post-mining land use from Forestland to Unmanaged Natural Habitat on the properties of Charles and Roberta Cunningham, Barry Nolph, Terry and Natalie Deal, Larry and Judith Jones, and Paul Heller located in Fairview and Parker Townships and Petrolia Borough, **Butler County**, affecting 465.7 acres. Receiving stream(s): Unnamed tributaries to South Branch Bear Creek, classified for the following uses: WWF. Application received: October 1, 2021. Permit issued: January 11, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsville DMO@pa.gov, (Contact: Theresa Reilly-Flannery).

Permit No. 54663021. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renewal of an existing anthracite surface mine, coal refuse reprocessing

and preparation plant operation in New Castle Township, **Schuylkill County**, affecting 693.0 acres. Receiving stream: Mill Creek. Application received: October 2, 2020. Renewal issued: January 12, 2022

Permit No. PAM111098. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP-GP-104) on Surface Mining Permit No. 54663019 in New Castle Township, **Schuylkill County**, receiving stream: Mill Creek. Application received: October 2, 2020. Coverage issued: January 12, 2022

Permit No. GP12-54663021. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renew general Operating Permit to operate a coal preparation plant on Surface Mining Permit No. 54663021 in New Castle Township, **Schuylkill County**. Application received: October 2, 2020. Coverage renewed: January 12, 2022.

Permit No. 54793206. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renewal of an existing anthracite surface mine, coal refuse processing, coal refuse disposal and coal preparation plant operation in Mahanoy Township and Shenandoah Borough, **Schuylkill County**, affecting 3,038.0 acres. Receiving stream: Mahanoy Creek. Application received: July 30, 2020. Renewal issued: January 14, 2022.

Permit No. PAM113009. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP-GP-104) on Surface Mining Permit No. 54793206 in Mahanoy Township and Shenandoah Borough, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: July 30, 2020. Coverage issued: January 14, 2022.

Permit No. GP12-54793206. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renew general Operating Permit to operate a coal preparation plant on Surface Mining Permit No. 54793206 in Mahanoy Township and Shenandoah Borough, **Schuylkill County**. Application received: January 28, 2021. Coverage renewed: January 14, 2022.

Permit No. 54793206. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, correction to update the post-mining land use of an existing anthracite surface mine, coal refuse processing, coal refuse disposal and coal preparation plant operation in Mahanoy Township and Shenandoah Borough, **Schuylkill County** affecting 3,038.0 acres. Receiving stream: Mahanoy Creek. Application received: January 28, 2021. Correction issued: January 14, 2022.

Permit No. 54040201. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renewal of an existing anthracite coal refuse reprocessing, coal refuse disposal and preparation plant operation in Butler, West Mahanoy and Union Townships, **Schuylkill County** affecting 1,108.97 acres. Receiving stream: Shenandoah Creek. Application received: December 23, 2020. Renewal issued: January 14, 2022.

Permit No. 40663026. Pagnotti Enterprises, Inc., 144 Brown Street, Yatesville, PA 18640, renewal of an existing anthracite surface mine, coal refuse disposal and preparation plant operation in Hazle Township, **Luzerne County**, affecting 285.0 acres. Receiving stream: Black Creek. Application received: March 12, 2021. Renewal issued: January 14, 2022.

Permit No. PAM112005. Pagnotti Enterprises, Inc., 144 Brown Street, Yatesville, PA 18640, renew coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on Surface Mining Permit No. 40663026 in Hazle Township, **Schuylkill County**, receiving stream: Black Creek. Application received: March 12, 2021. Coverage issued: January 14, 2022.

Permit No. 54960202. City of Philadelphia, Trustee, Acting by the Board of Directors of City Trusts for Girard Estate, 1100 Market Street, Suite 2600, Philadelphia, PA 19107, renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Union, Butler and West Mahanoy Townships, **Schuylkill County**, affecting 775.6 acres. Receiving streams: Shenandoah and Mahanoy Creeks. Application received: October 19, 2021. Renewal issued: January 14, 2022.

Noncoal Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EPMOSHANNON@pa.gov, (Contact: Ashley Smith).

NPDES PA0257788 (Mining Permit No. 53110301). North Penn Supply Quarries, LLC, 115 North East Street, Coudersport, PA 16815. Renewal of an NPDES permit on an existing large noncoal surface mine site located in Sweden Township, **Potter County**, affecting 21 acres. Receiving stream(s): Mill Creek classified for the following use(s): HQ-CWF. Application received: June 15, 2021. Permit issued: January 6, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsville DMO@pa.gov, (Contact: Theresa Reilly-Flannery).

NPDES Permit No. PA0594571 (Mining Permit No. 6276SM1). New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, NPDES Permit correction to increase the average monthly discharge rate for Outfall 001 in Salisbury Township, **Lancaster County**. Receiving stream: unnamed tributary to Pequea Creek. Application received: February 22, 2021. Correction issued: January 10, 2022.

NPDES Permit No. PA0593885. (Mining Permit No. 8275SM2). New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, NPDES Permit correction to increase the average monthly discharge rate for Outfalls 001 and 002 in Earl and Ephrata Townships, **Lancaster County**. Receiving streams: Conestoga River and unnamed tributary to Conestoga River. Application received: March 5, 2021. Correction issued: January 10, 2022.

NPDES Permit No. PA0595381 (Mining Permit No. 8275SM5). New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, NPDES Permit correction to increase the average monthly discharge rate for Outfall 001 in East Cocalico Township, **Lancaster County**. Receiving stream: Stony Run. Application received: March 9, 2021. Correction issued: January 10, 2022.

Permit No. PAM121038. Craig R. Reeves, P.O. Box 190, Montrose, PA 18801, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on GP105 Permit No. 58212507 in Jessup Township, **Susquehanna County**, receiving stream: unnamed tributary to South Branch Wyalusing Creek. Application received: August 2, 2021. Coverage issued: January 10, 2022.

NPDES Permit No. PA0226025 (Mining Permit No. 6172SM6). Bear Gap Stone Division of Corson Quarry, Inc., 432 Quarry Road, Elysburg, PA 17824, NPDES Permit for a noncoal quarry operation in Ralpho Township, **Northumberland County**. Receiving stream: unnamed tributary to South Branch Roaring Creek. Application received: March 20, 2019. Permit issued: January 13, 2022.

Permit No. PAM121053. Daniel S. Warner, 2615 Babcock Road, Montrose, PA 18801, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58100304 in Jessup Township, **Susquehanna County**, receiving stream: Elk Lake Stream. Application received: September 20, 2021. Coverage issued: January 13, 2022.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov, (Contact: Theresa Reilly-Flannery).

Permit No. 36214153. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Wesley Duplex Lots 1—4 in Manor Township, **Lancaster County**, with an expiration date of December 17, 2022. Permit issued: January 14, 2022.

Permit No. 48214119. Rock Work, Inc., 1257 DeKalb Pike, Blue Bell, PA 19422, construction blasting for Creekside Meadows Phase 3 in East Allan Township, **Northampton County**, with an expiration date of January 1, 2023. Permit issued: January 14, 2022.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publica-

tion of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Northcentral Region: Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E5904221-008: NFG Midstream Covington LLC, 1623 Mack Road, Mansfield, PA 16933, Morris Township, **Tioga County**, U.S. Army Corps of Engineers Baltimore District (Crooked Creek Quadrangle; Latitude 41° 45' 45.25" N; 77° 07' 53.70" W).

The applicant has proposed to install Installation of two (2) three-inch (3") diameter buried electrical conduits that will span approximately 1,800 linear feet. The project will result in 3.8' L x 6' W of permanent Watercourse impact, no permanent Floodway impact, and 10' L x 10' W of permanent Wetland impact (The UNTs to Elk Run are CWF-MF, and no known threatened or endangered species inhabit the resource within the project area). Mitigation will not be required as Wetland impact is de minimis.

E1404221-003: Haines-Aaronsburg Municipal Authority, P.O. Box 254, Aaronsburg, PA 16820. Water System Improvement Project, Haines Township, **Centre County**, U.S. Army Corps of Engineers Baltimore District (Millheim Quadrangle; Latitude: 40.907326°; Longitude: -77.448219°).

The applicant is authorized to construct and maintain two (2) horizontal directionally drilled utility lines under an Unnamed Tributary to Pine Creek (EV). One is for a new 4-inch HDPE raw water source to the water treatment plant, the other is to replace an existing finished water line—in a separate location than the existing—with a 6-inch HDPE from the plant to the distribution system. The project proposes .03 acre of direct watercourse and floodway impact.

E1704221-002. City of DuBois, 16 West Scribner Ave., P.O. Box 408, DuBois, PA 15801. Wastewater Treatment Plant upgrades at 96 Guy Ave. in Sandy Township, **Clearfield County**, ACOE Pittsburgh District (Falls Creek, PA Quadrangle, Latitude: 41° 7' 46.5" N; Longitude: 78° 46' 36.3" W).

The applicant plans to construct a new wastewater treatment plant to replace the existing facility. The existing treatment plant effluent discharges to Sandy Lick Creek and is authorized by NPDES permit No. PA0027375. The project involves construction of an influent pump station, septage receiving, screening, grit removal, four sequence batch reactors, tertiary filtration, UV disinfection, aerobic digestion, sludge dewatering, sewer line replacement, operations building and parking/road. Additional work was approved by E1704221-001 for a new access road to the treatment plant and bridge across Sandy Lick Creek. Upon completion of the new plant, the old facility will be removed. Effluent from the new plant will continue to be discharged to Sandy Lick Creek. The project will permanently impact 1.17 acres of primarily palustrine scrub-shrub wetlands which will be mitigated for by creation of 2.17 acres of new wetlands on the property. Sandy Lick Creek (TSF, MF) and Clear Run (CWF, MF) will also be impacted by the project. The City will permanently disturb 0.01 acre of stream, 1.35 acres of floodway, and 8.17 acres of flood fringe. Temporary impacts will be 0.17 acre of stream, 2.78 acres of floodway, and 3.60 acres of flood fringe. No threatened or endangered species are known to exist within the project area and none of the aquatic resources are classified as special protection.

Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

E0829221-011: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Smithfield Township, Bradford County, ACOE Baltimore District.

To construct, operate and maintain:

1. A 300' by 400' well pad impacting 78,844 square feet (1.81 acres) of permanent Palustrine Emergent Wetland impacts. (Ulster, PA Quadrangle, Latitude: 41.866259°, Longitude: -76.610060°);

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 78,844 square feet (1.81 acres) of permanent PEM wetland impacts, all for the purpose of establishing a well pad for Marcellus well development in Smithfield, Township, Bradford County. The permittee will provide 3.62 acres of PEM wetland mitigation at Camp Brook Restoration (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways Engineering & Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, (717) 787-3411.

D46-357. Matthew Marchisello, Aqua Pennsylvania, Inc., 762 W Lancaster Avenue, Bryn Mawr, PA 19010, Lurgan Township, Franklin County, U.S. Army Corps of Engineers Philadelphia District.

The Department of Environmental Protection, Division of Dam Safety has reviewed and approved the restoration plan to remove the Perkiomen Creek Gauge Dam in entirety to eliminate a threat to public safety and to restore approximately 750 feet of stream channel to a free-flowing condition. The project is located across Perkiomen Creek (TSF, MF) (East Greenville, PA Quadrangle, Latitude: 40.3945; Longitude: -75.5173). Project approved on January 5, 2022.

D46-367. Matthew Marchisello, Aqua Pennsylvania Inc., 762 W Lancaster Avenue, Bryn Mawr, PA 19010, Lurgan Township, Franklin County, U.S. Army Corps of Engineers Philadelphia District.

The Department of Environmental Protection, Division of Dam Safety has reviewed and approved the restoration plan to remove the Hillegas Gauge Dam to eliminate a threat to public safety and to restore approximately 530 feet of stream channel to a free-flowing condition. The project is located across the West Branch Perkiomen Creek (CWF, MF) (East Greenville/Sassamansville, PA Quadrangle, Latitude: 40.3732; Longitude: -75.5235). Project approved on January 5, 2022.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Northwest Region: Oil & Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481.

ESCGP-3 # ESG082421003-00 MOJ 5 Pipeline ESX
Applicant Name Seneca Resources Co LLC
Contact Person Douglas Kepler
Address 51 Zents Blvd
City, State, Zip Brookville, PA 15825-2701
County Elk
Township(s) Jones Township
Receiving Stream(s) and Classification(s) UNT to Wilson Run (CWF) and Long Run (CWF).
Secondary Use West Branch Clarion River (CWF).

Southwest District: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.

ESCGP-3 # ESG070421003-00—Ferrebee Bea Well Site
Applicant Name Geopetro, LLC
Contact Person Andrew Stafford
Address 7100 North High Street
City, State, Zip Worthington, OH 43085-2316
County Beaver
Township(s) Ohioville Borough

Receiving Stream(s) and Classification(s) Wolf Run (WWF)
Secondary Ohio River (WWF)

Eastern Region: Oil and Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

ESCGP-3 # ESG295921009-00

Applicant Name Seneca Resources Co, LLC

Contact Person Benjamin Williams

Address 51 Zents Blvd.

City, State, Zip Brookeville, PA 15825

County Tioga

Township(s) Charleston

Receiving Stream(s) and Classification(s) Elk Run (CWF),
UNT to Sand Run (EV)

Secondary: Tioga River (CWF), Sand Run (EV)

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Waste Mgmt Delaware Valley, 23-17610, 408 S. Oak Ave., Primos, PA 19108, Upper Darby Township, **Dela-**

ware County. Center Point Tank Services, Inc., 563 E. Benjamin Franklin Highway, Douglasville, PA 19518, on behalf of Waste Management of Delaware Valley—South, 408 South Oak Avenue, Primos, PA 19108, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel fuel. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

Septa Comly Garage, 51-07488, Penn St. & Comly St., Philadelphia, PA 19149, **City of Philadelphia**, WSP, 500 Summit Lake Drive, Suite 450, Valhalla, NY 10595, on behalf of SEPTA, 1234 Market Street, 6th Floor, Philadelphia, PA 19107-3780, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded petroleum products. The report is intended to document remediation of the site to meet nonresidential Statewide health and site-specific standards.

Sharro Petro, 23-09139, 2400 W. Darby Rd., Havertown, PA 19083, Haverford Township, **Delaware County**. Michael Baker International, Inc., 1818 Market Street, Suite 3100, Philadelphia, PA 19103, on behalf of Cumberland Farms, Inc., 165 Flanders Road, Westborough, MA 01581, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded petroleum products. The report is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

Blue Bell Sunoco, 46-20382, 889 Dekalb Pike, Blue Bell, PA 19422, Whitpain Township, **Montgomery County**. MEA, Inc., Ackerman Rd., 1365 Environmental Services, Bangor, PA 18013, on behalf of Multani Bros. PA Realty, LLC, P.O. Box 326, Gloucester City, NJ 08030, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

Kershaws Svc Ctr, 15-45247, Washington St. and Hannum Avenue, West Chester, PA 19380, West Chester Borough, **Chester County**. Brickhouse Environmental, 515 South Franklin St., West Chester, PA 19382, on behalf of 501 Hannum Ave, LLC, 440 East Marshall Street # 301, West Chester, PA 19380, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with leaded/unleaded gasoline and used motor oil. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation stan-

dard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Chestnut Hill Mobil, 51-43700, 8019 Germantown Ave., Philadelphia, PA 19118, **City of Philadelphia**. Synergy Environmental Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Cross America Partners, 645 W. Hamilton St, Suite 400, Allentown, PA 18101, submitted a Remedial Action Plan concerning remediation of soil contaminated with diesel fuel. The Remedial Action Plan was acceptable to meet nonresidential Statewide health standards and was approved by the Department on January 14, 2022.

Sunoco 0363 1793, 23-30744, 753 Kedron Ave., Morton, PA 19070, Ridley Township, **Delaware County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet nonresidential Statewide health standards and was approved by the Department on January 14, 2022.

M & M Sunoco, 09-24405, 1102 General Washington Memorial Blvd., Washington's Crossing, PA 18977, Upper Makefield Township, **Chester County**. Marshall Geoscience, Inc., 170 East First Avenue, Collegetown, PA 19426, on behalf of M & M Sunoco, 1102 General Washington Memorial Blvd., Washington's Crossing, PA 18977, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of nonresidential Statewide health standards and was approved by the Department on January 11, 2022.

Northeast Region: Environmental Cleanup & Brownfields Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Eric Supey, Environmental Program Manager.

Allentown City Maintenance Yard, Storage Tank ID # 39-09491, 1733 Grammes Road, Allentown, PA 18103, Allentown City, **Lehigh County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of the City of Allentown, 641 South Tenth Street, Allentown, PA 18103, has submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of Statewide health standards and was approved by DEP on January 10, 2022.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

Country Fair 43, Storage Tank Facility ID # 25-09234, 3826 Peach Street, Erie, PA 16509, City of Erie, **Erie County**. Arcadis U.S., Inc, 6041 Wallace Road Ext., Suite 300, Wexford, PA 15090, on behalf of Chevron Environmental Management Company, 1500 Louisiana Street, Houston, TX 77002, submitted a combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined Remedial Action Plan and Remedial Action Completion Report did not demonstrate attainment of the Statewide Health and site-specific standards and was disapproved by DEP on January 14, 2022.

Alleghany Pit Stop, Storage Tank Facility ID # 62-36970, 306 South Main Street, Sheffield, PA 16347-2010, Sheffield Township, **Warren County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Alleghany Pit Stop, 306 South Main Street, Sheffield, PA 16347, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with methyl tertiary butyl ether (MTBE). The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on January 18, 2022.

SPECIAL NOTICES

WATER PROGRAMS

PUBLIC NOTICE OF FINAL STATE WATER QUALITY CERTIFICATION FOR FERC REGULATED PIPELINE PROJECT

State Water Quality Certification Issued by the Commonwealth of Pennsylvania, Department of Environmental Protection Pursuant to Section 401 of the Clean Water Act for the FM 120 Insertion Project.

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONAL PERMIT@pa.gov.

WQ008321-001, National Fuel Gas Supply Corporation (Applicant), 1100 State Street, Erie, PA 16501. FM 120 Insertion Project (Project), in Sergeant Township, **McKean County**, St. Mary's City and Jones Township, **Elk County**, Shippen Township, **Cameron County**, Baltimore Pittsburgh Corps Districts. The proposed project starts at Temporary Access Road (TAR)-01 in Sergeant Township, **McKean County** (Latitude: 41.620550; Longi-

tude: -78.481666°) and ends at TAR-15 Station 1177 Access in Shippen Township, **Cameron County** (Latitude: 41.458364°; Longitude: -78.388866°)

On January 19, 2021, Applicant requested a state water quality certification (SWQC) from the Pennsylvania Department of Environmental Protection (DEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania consistent with the requirements of State law and the Clean Water Act.

The Project, as proposed, includes an approximately 12.5-mile-long, 6-inch FlexSteel pipeline insertion through an existing 1950's vintage bare steel 12-inch-diameter pipeline via approximately 33 excavated bell holes along the pipeline for the installation, pull out, and cathodic protection on the couplings to transport natural gas from Sergeant Township, **McKean County** to Shippen Township, **Cameron County**. Select pipeline sections will require replacement via open cut construction methodology due to existing pipeline bend angles. The Project, as proposed, will require approximately 82.1 acres of earth disturbance, and permanent stream impacts to approximately 174 linear feet of streams including Big Run (HQ-CWF), UNT(s) to Big Run (HQ-CWF), Clear Creek (HQ-CWF), UNT(s) to Clear Creek, North Fork Creek (HQ-CWF), UNT(s) to North Fork Creek (HQ-CWF), Little Clear Creek (EV), West Creek (HQ-CWF), UNT to West Creek (HQ-CWF), 0.036 acre of floodway, 7.55 acres of temporary PEM wetland impacts, and 0.16 acre of PEM permanent impacts.

DEP published notice of its proposed SWQC in the *Pennsylvania Bulletin* on March 27, 2021 (51 Pa.B. 1679) and DEP has received no comments.

DEP certifies that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The DEP further certifies that the construction, operation and maintenance of the Project complies with Pennsylvania water quality standards and that the construction, operation and maintenance of the Project will maintain and protect applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the project complies with the following DEP water quality permitting programs, criteria and conditions established pursuant to Pennsylvania law:

1. *Discharge of Hydrostatic Test Water*—Applicant shall obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit(s) for the discharge of water from the hydrostatic testing of the pipeline associated with the Project pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), 25 Pa. Code Chapter 92a (relating to NPDES permitting, monitoring and compliance), and all other applicable regulations.

2. *Erosion and Sediment Control and Stormwater Management*—All projects proposing earth disturbance must implement best management practices (BMPs) to protect and maintain water quality pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and Storm Water Management Act (32 P.S. §§ 680.1—680.17), 25 Pa. Code Chapter 102 (relating to erosion and sediment control), and all other applicable regulations. Applicant shall obtain and comply with an Erosion and Sediment Control Permit(s) for earth disturbance associated with the Project as provided in 25 Pa. Code § 102.5.

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Water Obstruction and Encroachment Permit(s) for the construction, operation and maintenance of all stream and wetland crossings associated with the Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), 25 Pa. Code Chapter 105 (relating to dam safety and waterway management), 25 Pa. Code Chapter 106 (relating to floodplain management), and all other applicable regulations.

4. *Other Water Quality Requirements*—Applicant shall obtain any other permits, authorizations or approvals required to construct, operate, and maintain the Project from any interstate or international agency as required by an interstate compact or international agreement that has established water quality standards applicable to surface waters of this Commonwealth, including wetlands.

5. *Water Quality Monitoring*—DEP retains the right to specify additional studies or monitoring to ensure that water quality in the receiving waters associated with the Project is not adversely impacted by any operational and construction process that may be employed by Applicant.

6. *Operation*—At all times, Applicant shall properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) installed to achieve compliance with the terms and conditions of this SWQC and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

7. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of DEP or the delegated County Conservation District to determine compliance with this SWQC, including all permits, authorizations or approvals issued to ensure the project shall maintain and protect state water quality standards as required by this SWQC. The Applicant shall provide a copy of this SWQC to an authorized representative conducting an inspection of the Project.

8. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project or any portion(s) thereof, the Applicant shall provide a copy of this SWQC and copies of any permits, authorizations or approvals obtained to comply with the SWQC upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the appropriate DEP Office of such intent. Notice to DEP shall include a transfer agreement signed by the existing and new owners containing a specific date for transfer of responsibility, coverage, and liability under the SWQC and any permits, authorizations and approvals obtained to comply with the SWQC. The new owner shall submit to DEP a new application form for the SWQC and any permits, authorizations and approvals required to comply with the SWQC signed by the new owner.

9. *Correspondence*—All correspondence with and submittals to DEP concerning this SWQC shall be addressed to the Department of Environmental Protection, Regional Permit Coordination Office, Domenic Rocco, PE, Director, 400 Market Street, Harrisburg, PA 17101, RA-EPREGIONALPERMIT@pa.gov.

10. *Reservation of Rights*—DEP may modify, suspend or revoke this SWQC if (i) PADEP becomes aware of new facts about the Project that warrant such action; or (ii) DEP determines that the Applicant has not complied with the terms and conditions of this SWQC. DEP may require additional measures to achieve compliance with any applicable law or regulation.

11. *Other Laws*—Nothing in this SWQC shall be construed to preclude the institution of any legal action or to relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable law or regulation.

12. *Severability*—The provisions of this SWQC are severable and should any provision of this SWQC be declared invalid or unenforceable, the remainder of the SWQC shall not be affected thereby.

Any person aggrieved by this action may challenge it in an appropriate legal forum. The state and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. you should show this document to a lawyer at once.

[Pa.B. Doc. No. 22-166. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Waste Management Committee Meeting Schedule for 2022

The following is a list of 2022 committee meetings associated with the Department of Environmental Protection (Department) Bureau of Waste Management. Meetings will have an in-person as well as a remote participation option. These schedules and an agenda for each meeting, including meeting materials, will be available on the Department's web site at www.dep.pa.gov through the Public Participation tab. Prior to each meeting, the Department encourages individuals to visit the web site to confirm meeting date, time, location and remote participation options.

Persons in need of accommodations, as provided for in the Americans with Disabilities Act of 1990, should contact the individual listed for each committee, 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.

Recycling Fund Advisory Committee

The Recycling Fund Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The meeting date is as follows:

September 16, 2022 (joint meeting with the Solid Waste Advisory Committee)

Contact: Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA 17101 at lahenry@pa.gov or (717) 772-5713.

Solid Waste Advisory Committee

The Solid Waste Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 9, 2022

June 14, 2022

September 16, 2022 (joint meeting with the Recycling Fund Advisory Committee)

December 15, 2022

Contact: Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA 17101 at lahenry@pa.gov or (717) 772-5713.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-167. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Proposed General Plan Approval and/or General Operating Permit for Gas and No. 2 Oil Fired Small Combustion Units (BAQ-GPA/GP-1)

The Department of Environmental Protection (Department) proposes the revision of General Plan Approval and/or General Operating Permit for Gas and No. 2 Oil Fired Small Combustion Units (BAQ-GPA/GP-1 or General Permit) which contains Best Available Technology determinations and other applicable State and Federal requirements.

The revised BAQ-GPA/GP-1 developed under the authority of section 6.1(f) of the Air Pollution Control Act (35 P.S. § 4006.1(f)) and 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and operating permits) will now be applicable to larger boilers and contain more stringent emission limits than the previous version of BAQ-GPA/GP-1. The proposed revision includes updated regulatory language for standard conditions.

The significant proposed modifications to GP-1 include the following:

(1) *General Permit Format*—The structure of the General Permit requirements has been revised for consistency with the most recently issued GP.

(2) *General Permit Fees*—The fee schedule for GP-1 has been revised for consistency with the most recently issued GP and is as follows: General Plan Approval Application Fee (\$1,600); General Operating Permit Application/Renewal Fee (\$750); Annual Operating Permit Maintenance Fee (\$750).

nance Fee (\$500); Transfer of Ownership Fee (\$500); and Administrative Amendment Fee (\$500).

(3) *Applicability/Scope*—The maximum rated heat input capacity of the gaseous fuel and No. 2 oil fired combustion units which may be constructed under GP-1 has been increased from 50 million Btu per hour to 100 million Btu per hour.

(4) *Best Available Technology*—New small combustion units constructed under GP-1 shall meet emission rates of 9 parts per million dry by volume (ppmdv) NO_x at 3% O₂ when firing gaseous fuel, 90 ppmdv NO_x at 3% O₂ when firing No. 2 oil and 130 ppmdv CO at 3% O₂ on either fuel. Additionally, opacity from these small combustion units when operating on either fuel shall not equal or exceed 10% for a period or periods aggregating more than 3 minutes in any 1 hour or 30% at any time.

Small combustion units constructed under and authorized to operate under GP-1 approved by the Department on or after December 2, 1995, and prior to the date of issuance of this General Permit shall meet emission rates of 30 ppmdv NO_x at 3% O₂ when firing gaseous fuel, 90 ppmdv NO_x at 3% O₂ when firing No. 2 oil and 300 ppmdv CO at 3% O₂ on either fuel.

(5) *Source Testing*—An owner or operator of a small combustion unit using GP-1 that does not qualify as a gaseous fuel fired boiler and which has a maximum heat input capacity greater than 50 MMBtu/hr shall conduct performance testing for NO_x and CO within 180 days of initial startup or re-authorization to use GP-1.

(6) *Work Practice Standards*—Annual tune-ups are required for all small combustion units constructed and operated under GP-1. Measurement of the concentrations in the effluent stream of NO_x and CO are required every 3 years.

(7) *Applicable Laws*—Federal regulations applicable to certain gaseous fuel and No. 2 oil fired small combustion units, including 40 CFR Part 60, Subpart DC (relating to standards of performance for small industrial-commercial-institutional steam generating units), 40 CFR Part 63, Subpart DDDDD (relating to national emission standards for hazardous air pollutants for major sources: industrial, commercial, and institutional boilers and process heaters) and 40 CFR Part 63, Subpart JJJJJ (relating to national emission standards for hazardous air pollutants for industrial, commercial, and institutional boilers area sources) have been incorporated into GP-1 by reference.

(8) *Annual Reporting and Compliance Certification*—An owner or operator of a small combustion unit using GP-1 as a facility-wide operating permit must submit an emissions report and compliance certification to the Department on an annual basis.

The proposed GP-1 also includes monitoring, record-keeping and reporting requirements designed to keep the facility operating within all applicable State and Federal air quality requirements, such as: records of maintenance performed; fuel certification reports; fuel consumption records; records of work practice standards; performance tests; municipal notifications; malfunctions, emergencies or incidents of excess emissions reporting and notifications; records of compliance; and annual facility inventory reporting. Records required must be maintained onsite for a minimum of 5 years and may be maintained in electronic format. The term for the general permit is 5 years and authorization can be renewed before the expiration date.

The Department will accept written comments through Tuesday, March 29, 2022. Commentators are encouraged to submit comments using the Department's online eComment system at www.ahs.dep.pa.gov/eComment. Written comments can also be submitted by e-mail to ecomment@pa.gov or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Comments, including comments submitted by e-mail, must include the commentator's name and address. Comments submitted by facsimile will not be accepted. Use "Proposed GP-1" as the subject line in written communication.

Questions regarding this notice or the proposed General Permit can be directed to Virendra Trivedi at vtrivedi@pa.gov or (717) 783-9476.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-168. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale

Lehigh County

The Department of General Services (Department) will accept proposals for the purchase of 195.167 acres ± of developable land known as the former Allentown State Hospital property located at 1600 Hanover Avenue, Lehigh County, Allentown. Proposals are due Wednesday, May 18, 2022. Interested parties wishing to receive a copy of Solicitation for Proposals No. 95192 should view the Department's web site at www.dgs.pa.gov/RealEstate or call Andrew Lick at (717) 772-8842.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 22-169. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Public Health Advisory Council Virtual Meeting Regarding the Preventive Health and Health Services Block Grant

The Public Health Advisory Council will be holding a virtual meeting on Monday, February 7, 2022, from 11:30 a.m. to 1:30 p.m. The meeting will be conducted virtually as a teleconference call by means of Microsoft Teams, phone only, no video. The call-in information is (267) 332-8737. The conference ID is 443 206 784#.

The purpose of the virtual meeting is to discuss the Preventive Health and Health Services Block Grant Federal Fiscal Year 2021 work plan.

For additional information, contact Rashida Nasir, Administrative Officer 3, Bureau of Health Promotion and Risk Reduction, Health and Welfare Building, Harrisburg, PA at (717) 547-3204.

Persons with a disability who wish to attend the virtual meeting and require auxiliary aid, service or other special accommodations to do so should contact Rashida Nasir, Administrative Officer 3 at (717) 547-3204, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This virtual meeting is subject to cancellation without notice.

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-170. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Traumatic Brain Injury Advisory Board Virtual Public Meeting

The Traumatic Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a virtual public meeting on Friday, February 4, 2022. Due to health concerns related to the novel coronavirus (COVID-19), the virtual public meeting will be held by means of Microsoft Teams from 10 a.m. to 3 p.m.

Meeting materials will be sent out before the virtual public meeting and will also be available on the Board's web site at <https://www.health.pa.gov/topics/disease/Pages/Traumatic-Brain-Injury.aspx>. Contact Nicole Johnson at njohnson@pa.gov with questions. To join the Microsoft Teams meeting, call (267) 332-8737. The conference ID is 126 841 107#.

The Department of Health's (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists the Department in understanding and meeting the needs of persons living with traumatic brain injury and their families. This quarterly virtual public meeting will provide updates on a variety of topics including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic brain injury and available advocacy opportunities.

For additional information, or for persons with a disability who wish to attend the virtual public meeting and require an auxiliary aid, service or other accommodation to do so contact Nicole Johnson, Division of Community Systems Development and Outreach at (717) 772-2763, or for speech and/or hearing-impaired persons, contact V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984.

This virtual public meeting is subject to cancellation without notice.

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-171. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Pharmacy Prior Authorization

The Department of Human Services (Department) announces it will add Aduhelm (aducanumab) and Complement Inhibitors to the Medical Assistance (MA) Program's list of services and items requiring prior authorization.

Section 443.6(b)(7) of the Human Services Code (62 P.S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The MA Program will require prior authorization of all prescriptions for Aduhelm (aducanumab) and Complement Inhibitors. These prior authorization requirements apply to prescriptions dispensed on or after February 1, 2022.

The Department will issue MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for Aduhelm (aducanumab) and Complement Inhibitors.

Fiscal Impact

These changes are estimated to result in minimal savings in the MA Fee-for-Service Program.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

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-1487. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 22-172. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Annual Inflation Adjustment for Distributions to Counties and Municipalities; Pennsylvania Gaming Cash Flow Management

In accordance with 61 Pa. Code § 1001.8 (relating to State Gaming Fund transfers), the Secretary of Revenue announces that, for the year beginning January 1, 2022, the Annual Inflation Adjustment as proscribed in 4 Pa.C.S. § 1403(d) (relating to establishment of State Gaming Fund and net slot machine revenue distribution) is 6.6%.

Section 1403(c) of 4 Pa.C.S. requires the Department of Revenue (Department) to utilize the most recent Consumer Price Index effective immediately prior to the date

the adjustment is due to take effect to calculate the quarterly distributions from the State Gaming Fund to the counties or municipalities. This adjustment was published by the United States Department of Labor, Bureau of Labor Statistics on January 12, 2022. Therefore, the Department is publishing notice of the Annual Inflation Adjustment.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-173. Filed for public inspection January 28, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cash Clover Fast Play Game 5152

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 Clover (hereinafter “Cash Clover”). The game number is PA-5152.

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) *EXTRA CASH CLOVER*: The area at the bottom of a Cash Clover lottery game ticket containing five play symbols that, when played according to the instructions, determines whether a player quadruples any prize won in the play area above.

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket, which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Cash Clover ticket is \$1.

4. *Description of the Cash Clover Fast Play lottery game*:

(a) The Cash Clover lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Cash Clover 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 Clover is played by matching the play symbols located in the “YOUR NUMBERS” area to the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the “YOUR NUMBERS” play symbol. If a Clover (CLOVER) symbol appears in the “EXTRA CASH CLOVER” area, the player quadruples any prize won in the play area above. A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A Cash Clover game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Cash Clover game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Cash Clover game ticket and select the Cash Clover 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 Clover ticket characteristics*:

(a) A Cash Clover ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Each Cash Clover ticket play area will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and an “EXTRA CASH CLOVER” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play sym-

bols and their captions, located in the “EXTRA CASH CLOVER” area, are: Shamrock (SHAMROCK) symbol and a Clover (CLOVER) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN) and \$1,700 (SVNTNHUN).

(d) *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100 and \$1,700. Cash Clover contains a feature that can multiply the prize won. For a complete list of prizes, and how those prizes can be won, see section 8 (relating to number and description of prizes and approximate chances of winning). A player can win up to six times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Cash Clover lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Loads of Luck Second-Chance Drawing for which non-winning Cash Clover lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All Cash Clover prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,700 (SVNTNHUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,700.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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 a Clover (CLOVER) symbol appears in the “EXTRA CASH CLOVER” area, on a single ticket, shall be entitled to a prize of \$80.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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 a Clover (CLOVER) symbol appears in the “EXTRA CASH CLOVER” area, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰

(TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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 a Clover (CLOVER) symbol appears in the “EXTRA CASH CLOVER” area, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Clover (CLOVER) symbol appears in the “EXTRA CASH CLOVER” area, on a single ticket, shall be entitled to a prize of \$16.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Clover (CLOVER) symbol appears in the “EXTRA CASH CLOVER” area, on a single ticket, shall be entitled to a prize of \$8.

(l) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Clover (CLOVER) symbol appears in the “EXTRA CASH CLOVER” area, on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1⁰⁰

(ONE DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of FREE (TICKET) appears in the "Prize" area under the

matching "YOUR NUMBERS" play symbol, shall be entitled to a prize of one Cash Clover Fast Play Game Ticket.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>EXTRA CASH CLOVER:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
FREE		FREE \$1 TICKET	10	60,000
\$1		\$1	45.45	13,200
\$1 × 2		\$2	33.33	18,000
\$2		\$2	45.45	13,200
\$1 × 4		\$4	1,000	600
\$2 × 2		\$4	1,000	600
\$1	4X w/ CLOVER	\$4	23.26	25,800
\$4		\$4	1,000	600
(\$2 × 2) + \$1		\$5	666.67	900
\$4 + \$1		\$5	666.67	900
\$5		\$5	1,000	600
\$5 × 2		\$10	1,000	600
(\$1 × 4) + \$4 + \$2		\$10	1,000	600
(\$2 × 4) + (\$1 × 2)		\$10	1,000	600
(\$4 × 2) + \$2		\$10	1,000	600
\$5 + \$4 + \$1		\$10	1,000	600
\$10		\$10	1,000	600
\$10 × 2		\$20	12,000	50
(\$4 × 4) + (\$2 × 2)		\$20	12,000	50
(\$5 × 2) + (\$4 × 2) + (\$1 × 2)		\$20	12,000	50
\$1 × 5	4X w/ CLOVER	\$20	4,000	150
(\$2 × 2) + \$1	4X w/ CLOVER	\$20	3,000	200
\$4 + \$1	4X w/ CLOVER	\$20	4,000	150
\$5	4X w/ CLOVER	\$20	1,200	500
\$20		\$20	12,000	50
\$10 × 4		\$40	12,000	50
(\$2 × 4) + (\$1 × 2)	4X w/ CLOVER	\$40	6,000	100
(\$4 × 2) + (\$1 × 2)	4X w/ CLOVER	\$40	6,000	100
\$5 + \$4 + \$1	4X w/ CLOVER	\$40	6,000	100
\$10	4X w/ CLOVER	\$40	1,333	450
\$40		\$40	24,000	25
\$20 × 5		\$100	24,000	25
(\$5 × 3) + (\$4 × 2) + \$2	4X w/ CLOVER	\$100	12,000	50
(\$10 × 2) + (\$2 × 2) + \$1	4X w/ CLOVER	\$100	12,000	50
\$20 + \$5	4X w/ CLOVER	\$100	12,000	50
\$100		\$100	24,000	25
\$1,700		\$1,700	120,000	5

EXTRA CASH CLOVER: When a "Clover" (CLOVER) symbol appears below, win 4 TIMES any prize won in the play area above!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing*: The Pennsylvania Lottery's (hereafter, the "Lottery") Loads of Luck Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-5150 End of the Rainbow (\$5), PA-5151 Pot of Gold (\$2) and PA-5152 Cash Clover (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one Loads of Luck Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. February 1, 2022, through 11:59:59 p.m. March 17, 2022, will be entered into the Drawing to be held between March 21, 2022 and March 31, 2022.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 3 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as

follows: PA-5150 End of the Rainbow (\$5) = five entries, PA-5151 Pot of Gold (\$2) = two entries and PA-5152 Cash Clover (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of 3X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 3X Multiplier Are 1 In:</i>
PA-5150 End of the Rainbow	108,806	4
PA-5151 Pot of Gold	149,963	3
PA-5152 Cash Clover	229,885	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first through the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The seventh through the twenty-third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(iv) The twenty-fourth through the seventy-third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions*:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The

Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery

Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Cash Clover lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Cash Clover lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Cash Clover or through normal communications methods.

21. *Applicability:* This notice applies only to the Cash Clover lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania End of the Rainbow Fast Play Game 5150

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 End of the Rainbow (hereinafter "End of the Rainbow"). The game number is PA-5150.

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) *CLOUD BONUS:* The area at the top of an End of the Rainbow lottery game ticket containing one play/prize

symbol that, when played according to the instructions, determines whether the player increases the total prize won by any prize amount that appears. CLOUD BONUS prizes cannot be won alone.

(d) *END OF THE RAINBOW*: The area on an End of the Rainbow lottery game ticket containing three play symbols that, when played according to the instructions, determines whether the player wins the prize shown at the “END OF THE RAINBOW.” “END OF THE RAINBOW” is played separately.

(e) *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.

(f) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(g) *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.

(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 7 (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 an End of the Rainbow ticket is \$5.

4. *Description of the End of the Rainbow Fast Play lottery game*:

(a) The End of the Rainbow lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. End of the Rainbow 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) End of the Rainbow is played by matching the play symbols located in the “YOUR NUMBERS” area to the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win

the prize shown under the “YOUR NUMBERS” play symbol. Whenever a player wins a prize in the “YOUR NUMBERS” area and a prize amount appears in the “CLOUD BONUS” area, the player adds the amount shown to the total won and wins that amount. A bet slip is not used to play this game.

(c) End of the Rainbow lottery game tickets also contain an “END OF THE RAINBOW” area. When three “COIN” symbols appear in the “YOUR NUMBERS” area, the player wins the prize shown at the “END OF THE RAINBOW.” The “END OF THE RAINBOW” is played separately.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) An End of the Rainbow 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 an End of the Rainbow 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 an End of the Rainbow game ticket and select the End of the Rainbow 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. *End of the Rainbow ticket characteristics*:

(a) An End of the Rainbow ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Each End of the Rainbow ticket play area will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, an “END OF THE RAINBOW” area and a “CLOUD BONUS” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols, located in the “END OF THE RAINBOW” area, are: Leprechaun Shoes, Horseshoe, Leprechaun Hat, Clover, Pot of Gold and a COIN symbol. The play/prize symbols, located in the “CLOUD BONUS” area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), Sun (NOWIN) symbol, Moon (NOWIN) symbol, Lightning Bolt (NOWIN) symbol, Star (NOWIN) symbol and a Breeze (NOWIN) 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), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO). The prize symbols and their captions, located in the “END OF THE RAINBOW” area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIF-

TEEN), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY) and \$500 (FIV HUN).

(d) *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$15, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$25,000. The prizes that can be won in the "END OF THE RAINBOW" area, are: \$5, \$10, \$15, \$25, \$50, \$100, \$250 and \$500. The prizes that can be won in the "CLOUD BONUS" area, are: \$5, \$10, \$15, \$25, \$50, \$100 and \$250. End of the Rainbow contains a feature that can increase certain prizes. For a complete list of prizes, and how those prizes can be won, see section 8 (relating to number and description of prizes and approximate chances of winning). A player can win up to 14 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the End of the Rainbow lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Loads of Luck Second-Chance Drawing for which non-winning End of the Rainbow lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All End of the Rainbow prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches 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" 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 matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which three "COIN" symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears at the "END OF THE RAINBOW," on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$250 (TWOHUNFTY) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears in four of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in two of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "Prize" areas, a prize symbol of \$250 (TWOHUNFTY) appears in one of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the

"Prize" areas and upon which a play/prize symbol of \$25⁰⁰ (TWY FIV) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$475.

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas, a prize symbol of \$25⁰⁰ (TWY FIV) appears in four of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in two of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "Prize" areas and upon which a play/prize symbol of \$100 (ONE HUN) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$450.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(j) Holders of tickets upon which three "COIN" symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$250 (TWOHUNFTY) appears at the "END OF THE RAINBOW," on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears in four of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in four of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "Prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the "Prize" areas and upon which a play/prize symbol of \$50⁰⁰ (FIFTY) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$240.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas and upon which a play/prize symbol of \$25⁰⁰ (TWY FIV) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$225.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas and upon which a play/prize symbol of \$25⁰⁰ (TWY FIV) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$225.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$100 (ONE HUN) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which three "COIN" symbols appear in the "YOUR NUMBERS" area and a prize

symbol of \$100 (ONE HUN) appears at the "END OF THE RAINBOW," on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$50.⁰⁰ (FIFTY) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$75.

(s) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which three "COIN" symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$50.⁰⁰ (FIFTY) appears at the "END OF THE RAINBOW," on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$15.⁰⁰ (FIFTEEN) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$40.

(w) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(x) Holders of tickets upon which three "COIN" symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$25.⁰⁰ (TWY FIV) appears at the "END OF THE RAINBOW," on a single ticket, shall be entitled to a prize of \$25.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15.⁰⁰ (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon

which a play/prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$25.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(aa) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$15.⁰⁰ (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.

(bb) Holders of tickets upon which three "COIN" symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$15.⁰⁰ (FIFTEEN) appears at the "END OF THE RAINBOW," on a single ticket, shall be entitled to a prize of \$15.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$15.

(dd) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.⁰⁰ (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.

(ee) Holders of tickets upon which three "COIN" symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$10.⁰⁰ (TEN DOL) appears at the "END OF THE RAINBOW," on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a play/prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "CLOUD BONUS" area, on a single ticket, shall be entitled to a prize of \$10.

(gg) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(hh) Holders of tickets upon which three "COIN" symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$5.⁰⁰ (FIV DOL) appears at the "END OF THE RAINBOW," on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>CLOUD BONUS:</i>	<i>END OF THE RAINBOW:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
		\$5	\$5	19.23	31,200
\$5			\$5	19.23	31,200
\$5 × 2			\$10	66.67	9,000
\$5	\$5		\$10	19.23	31,200
		\$10	\$10	100	6,000
\$10			\$10	66.67	9,000
\$5 × 3			\$15	125	4,800
\$10 + \$5			\$15	111.11	5,400
\$5	\$5	\$5	\$15	100	6,000
\$10	\$5		\$15	100	6,000
		\$15	\$15	125	4,800
\$15			\$15	125	4,800
\$5 × 5			\$25	500	1,200
\$15 + \$10			\$25	333.33	1,800
\$10	\$10	\$5	\$25	200	3,000
\$15	\$10		\$25	200	3,000
		\$25	\$25	333.33	1,800
\$25			\$25	500	1,200
\$10 × 5			\$50	24,000	25
\$25 × 2			\$50	24,000	25
(\$10 × 4) + (\$5 × 2)			\$50	24,000	25
(\$15 × 2) + (\$10 × 2)			\$50	6,000	100
\$25	\$15	\$10	\$50	1,091	550
\$25	\$25		\$50	1,091	550
\$25		\$25	\$50	1,200	500
		\$50	\$50	1,333	450
\$50			\$50	2,400	250
\$25 × 4			\$100	24,000	25
\$50 × 2			\$100	24,000	25
(\$10 × 5) + (\$5 × 5) + \$25			\$100	24,000	25
(\$15 × 4) + (\$10 × 4)			\$100	12,000	50
(\$25 × 2) + (\$15 × 2) + (\$10 × 2)			\$100	12,000	50
\$50 + \$25 + \$15 + \$10			\$100	12,000	50
\$50	\$25	\$25	\$100	12,000	50
\$50	\$50		\$100	12,000	50
		\$100	\$100	12,000	50
\$100			\$100	8,000	75
\$50 × 5			\$250	12,000	50
(\$50 × 2) + (\$25 × 5) + \$15 + \$10			\$250	24,000	25
(\$25 × 4) + (\$15 × 4) + (\$10 × 2) + (\$5 × 2)	\$50	\$10	\$250	12,000	50
\$50 × 4	\$25	\$25	\$250	24,000	25
\$100 × 2	\$25	\$25	\$250	12,000	50
\$100	\$100	\$50	\$250	24,000	25
		\$250	\$250	12,000	50

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>CLOUD BONUS:</i>	<i>END OF THE RAINBOW:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$250			\$250	24,000	25
\$250 × 2			\$500	120,000	5
(\$25 × 4) + (\$15 × 2) + (\$10 × 2) + \$250 + \$50	\$25	\$25	\$500	12,000	50
(\$50 × 4) + (\$25 × 4) + (\$15 × 2) + (\$10 × 2)	\$100	\$50	\$500	24,000	25
\$250	\$250		\$500	24,000	25
		\$500	\$500	24,000	25
\$500			\$500	120,000	5
\$500 × 2			\$1,000	120,000	5
\$1,000			\$1,000	120,000	5
\$25,000			\$25,000	120,000	5

When three "COIN" symbols appear in the YOUR NUMBERS area below, win prize shown at the "END OF THE RAINBOW." "END OF THE RAINBOW" is played separately.

CLOUD BONUS: When you match any "WINNING NUMBER" below AND a prize amount appears in the CLOUD BONUS area, add the prize shown to the TOTAL WON and win that amount. CLOUD BONUS cannot be won alone.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") Loads of Luck Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5150 End of the Rainbow (\$5), PA-5151 Pot of Gold (\$2) and PA-5152 Cash Clover (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Loads of Luck Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. February 1, 2022, through 11:59:59 p.m. March 17, 2022, will be entered into the Drawing to be held between March 21, 2022 and March 31, 2022.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 3 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5150 End of the Rainbow (\$5) = five entries, PA-5151 Pot of Gold (\$2) = two entries and PA-5152 Cash Clover (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of 3X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 3X Multiplier Are 1 In:</i>
PA-5150 End of the Rainbow	108,806	4
PA-5151 Pot of Gold	149,963	3
PA-5152 Cash Clover	229,885	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first through the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The seventh through the twenty-third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(iv) The twenty-fourth through the seventy-third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play End of the Rainbow lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play End of the Rainbow lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in

a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote End of the Rainbow or through normal communications methods.

21. *Applicability:* This notice applies only to the End of the Rainbow lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania Pot of Gold Fast Play Game 5151

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 Pot of Gold (hereinafter “Pot of Gold”). The game number is PA-5151.

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) *GOLDEN NUMBER:* The area on a Pot of Gold ticket containing one play symbol that, when matched according to the instructions, determines whether the player wins a prize of \$17.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(l) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a Pot of Gold ticket is \$2.

4. *Description of the Pot of Gold Fast Play lottery game:*

(a) The Pot of Gold lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Pot of Gold 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) Pot of Gold is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Pot of Gold tickets contain a “GOLDEN NUMBER” area. Whenever a player matches the play symbol in the “GOLDEN NUMBER” area to any of the play symbols in the “WINNING NUMBERS” area, the player wins a prize of \$17.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Pot of Gold 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 Pot of Gold 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 Pot of Gold ticket and select the Pot of Gold 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. *Pot of Gold ticket characteristics:*

(a) Pot of Gold tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Pot of Gold tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "GOLDEN NUMBER" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area and the "GOLDEN NUMBER" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 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 "YOUR NUMBERS" area, are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$17.⁰⁰ (SVNTEEN), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$10,000 (TEN THO).

(d) *Prizes:* The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$17, \$50, \$100, \$200 and \$10,000. A player can win up to nine times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Pot of Gold lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Loads of Luck Second-Chance Drawing for which non-winning Pot of Gold lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All Pot of Gold prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the

matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches 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.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (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.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$17.⁰⁰ (SVNTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$17.

(g) Holders of tickets upon which the "GOLDEN NUMBER" play symbol matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$17.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.⁰⁰ (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.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>GOLDEN NUMBER:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$2		\$2	8.33	72,000
\$2 × 2		\$4	33.33	18,000
\$4		\$4	34.48	17,400
\$5		\$5	25	24,000

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>GOLDEN NUMBER:</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	200	3,000
(\$4 × 2) + \$2		\$10	200	3,000
\$10		\$10	200	3,000
(\$4 × 3) + \$5		\$17	1,000	600
(\$5 × 3) + \$2		\$17	1,000	600
\$10 + \$5 + \$2		\$17	1,000	600
	\$17 w/ GOLDEN NUMBER MATCH	\$17	100	6,000
\$17		\$17	1,000	600
(\$10 × 3) + (\$5 × 2) + (\$4 × 2) + \$2		\$50	6,000	100
(\$17 × 2) + (\$5 × 2) + \$4 + \$2		\$50	6,000	100
(\$5 × 3) + (\$4 × 4) + \$2	\$17 w/ GOLDEN NUMBER MATCH	\$50	2,400	250
(\$10 × 2) + (\$4 × 2) + \$5	\$17 w/ GOLDEN NUMBER MATCH	\$50	2,400	250
\$17 + \$10 + \$4 + \$2	\$17 w/ GOLDEN NUMBER MATCH	\$50	3,000	200
\$50		\$50	6,000	100
\$50 × 2		\$100	24,000	25
(\$17 × 5) + (\$5 × 3)		\$100	24,000	25
(\$17 × 2) + (\$10 × 4) + \$5 + \$4	\$17 w/ GOLDEN NUMBER MATCH	\$100	12,000	50
(\$17 × 3) + (\$10 × 2) + (\$5 × 2) + \$2	\$17 w/ GOLDEN NUMBER MATCH	\$100	12,000	50
(\$17 × 4) + (\$4 × 2) + \$5 + \$2	\$17 w/ GOLDEN NUMBER MATCH	\$100	12,000	50
\$50 + \$17 + \$10 + \$4 + \$2	\$17 w/ GOLDEN NUMBER MATCH	\$100	12,000	50
\$100		\$100	24,000	25
\$100 × 2		\$200	120,000	5
(\$50 × 2) + (\$17 × 4) + \$10 + \$5	\$17 w/ GOLDEN NUMBER MATCH	\$200	24,000	25
\$200		\$200	120,000	5
\$10,000		\$10,000	120,000	5

When any WINNING NUMBER matches the GOLDEN NUMBER, win \$17 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") Loads of Luck Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5150 End of the Rainbow (\$5), PA-5151 Pot of Gold (\$2) and PA-5152 Cash Clover (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one Loads of Luck Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. February 1, 2022, through 11:59:59 p.m. March 17, 2022, will be entered into the Drawing to be held between March 21, 2022 and March 31, 2022.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 3 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5150 End of the Rainbow (\$5) = five entries, PA-5151 Pot of Gold (\$2) = two entries and PA-5152 Cash Clover (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of 3X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 3X Multiplier Are 1 In:</i>
PA-5150 End of the Rainbow	108,806	4
PA-5151 Pot of Gold	149,963	3
PA-5152 Cash Clover	229,885	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first through the third entries selected in the Drawing will be winning entries and the entrants who

submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The seventh through the twenty-third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(iv) The twenty-fourth through the seventy-third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto

for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Pot of Gold lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Pot of Gold lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pot of Gold or through normal communications methods.

21. *Applicability:* This notice applies only to the Pot of Gold lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania THE WIZARD OF OZ™ Fast Play Game 5149

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 THE WIZARD OF OZ™ (hereinafter "THE WIZARD OF OZ™"). The game number is PA-5149.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *WILD POPPY FIELD:* The area at the bottom of a THE WIZARD OF OZ™ Fast Play lottery game ticket containing six play symbols that, when matched according to the instructions, determines whether the player wins a prize.

(k) **WINNING NUMBERS:** The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(l) **Winning ticket:** A game ticket which has been validated and qualifies for a prize.

(m) **YELLOW BRICK ROAD™ BONUS:** When a Scarecrow (SCARECROW) symbol, a Tin Man (TIN MAN) symbol and a Cowardly Lion (COWARDLY LION) symbol appear in the “YOUR NUMBERS” area, the player wins a prize of \$100.

(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.

(o) **5X BONUS:** The area at the top of a THE WIZARD OF OZ™ Fast Play lottery game ticket containing one play symbol that, when matched according to the instructions, determines whether the player multiplies any prize won in the “YOUR NUMBERS” area by five.

3. **Price:** The price of a THE WIZARD OF OZ™ ticket is \$20.

4. **Description of THE WIZARD OF OZ™ Fast Play lottery game:**

(a) THE WIZARD OF OZ™ lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. THE WIZARD OF OZ™ 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) THE WIZARD OF OZ™ 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. When a GLINDA (GLINDA) or a WICKED WITCH (WICKED WITCH) symbol appears in the “5X BONUS” area, the player multiplies any prize won in the “YOUR NUMBERS” area by five. Any prize won in the “YELLOW BRICK ROAD™ BONUS” or the “WILD POPPY FIELD” is not multiplied. A bet slip is not used to play this game.

(c) THE WIZARD OF OZ™ is also played by matching the “YELLOW BRICK ROAD™ BONUS” play symbols appearing in the “YOUR NUMBERS” area. Whenever a Scarecrow (SCARECROW) symbol, a Tin Man (TIN MAN) symbol and a Cowardly Lion (COWARDLY LION) symbol appears in the “YOUR NUMBERS” area, the player wins a prize of \$100. The “YELLOW BRICK ROAD™ BONUS” is played separately.

(d) THE WIZARD OF OZ™ tickets also contain a “WILD POPPY FIELD” area. Players matching five Wild Poppy (WILD POPPY) symbols in the “WILD POPPY FIELD” area will win the prize shown. WILD POPPY FIELD is played separately.

(e) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(f) THE WIZARD OF OZ™ tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a THE WIZARD OF OZ™ ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(h) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a THE WIZARD OF OZ™ ticket and select THE WIZARD OF OZ™ 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. **THE WIZARD OF OZ™ ticket characteristics:**

(a) THE WIZARD OF OZ™ tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) **Play Symbols:** THE WIZARD OF OZ™ tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, a “5X BONUS” area, a “YELLOW BRICK ROAD™ BONUS” area and a “WILD POPPY FIELD” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions, located in the “5X BONUS” area, are: Broom (NO BONUS) symbol, Smoke (NO BONUS) symbol, Crown (NO BONUS) symbol, Wand (NO BONUS) symbol, Winged Monkey (NO BONUS) symbol, WICKED WITCH (WICKED WITCH) symbol and a GLINDA (GLINDA) symbol. The YELLOW BRICK ROAD™ BONUS play symbols and their captions, located in the “YOUR NUMBERS” area, are: Diploma (DIPLOMA), Heart (HEART), Medal of Courage (MEDAL OF COURAGE), Slippers (SLIPPERS), Scarecrow (SCARECROW) symbol, Tin Man (TIN MAN) symbol and a Cowardly Lion (COWARDLY LION) symbol. The play symbols and their captions, located in the “WILD POPPY FIELD” area, are: Snowflake (SNOWFLAKE) symbol and a Wild Poppy (WILD POPPY) symbol.

(c) **Prize Symbols:** The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$300,000 (THR HUNTHO).

(d) **Prizes:** The prizes that can be won in this game, are: \$20, \$30, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and \$300,000. The prizes that can be won in the “WILD POPPY FIELD” area, are: \$20, \$30, \$40, \$50, \$100, \$200 and \$500. The prize that can be won in the “YELLOW BRICK ROAD™ BONUS” is \$100. THE WIZARD OF OZ™ contains a feature that can multiply certain prizes. For a complete list of prizes, and how those prizes can be won, see section 8 (relating to number and description of prizes and approximate chances of winning). A player can win up to 22 times on a ticket.

(e) **Approximate number of tickets available for the game:** Approximately 600,000 tickets will be available for sale for THE WIZARD OF OZ™ lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a THE WIZARD OF OZ™ Second-Chance Drawing from the Pennsylvania Lottery for which non-winning THE WIZARD OF OZ™ Fast Play lottery game tickets may be eligible as provided in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All THE WIZARD OF OZ™ prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a WICKED WITCH (WICKED WITCH) symbol or a GLINDA (GLINDA) symbol appears in the “5X BONUS” area, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which WICKED WITCH (WICKED WITCH) symbol or a GLINDA (GLINDA) symbol appears in the “5X BONUS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a WICKED WITCH (WICKED WITCH) symbol or a GLINDA (GLINDA) symbol appears in the “5X BONUS” area, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which five Wild Poppy (WILD POPPY) symbols appear in the “WILD POPPY FIELD” area, and upon which a prize symbol of \$500 (FIV HUN) appears below those Wild Poppy (WILD POPPY) symbols, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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 a WICKED WITCH (WICKED WITCH) symbol or a GLINDA (GLINDA) symbol appears in the “5X BONUS” area, on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a WICKED WITCH (WICKED WITCH) symbol or a GLINDA (GLINDA) symbol appears in the “5X BONUS” area, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which five Wild Poppy (WILD POPPY) symbols appear in the “WILD POPPY FIELD” area, and upon which a prize symbol of \$200 (TWO HUN) appears below those Wild Poppy (WILD POPPY) symbols, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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 a WICKED WITCH (WICKED WITCH) symbol or a GLINDA (GLINDA) symbol appears in the “5X BONUS” area, on a single ticket, shall be entitled to a prize of \$150.

(o) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches 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 a WICKED WITCH (WICKED WITCH) symbol or a GLINDA (GLINDA) symbol appears in the “5X BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which a Scarecrow (SCARECROW) symbol, a Tin Man (TIN MAN) symbol and a Cowardly Lion (COWARDLY LION) symbol appear in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which five Wild Poppy (WILD POPPY) symbols appear in the “WILD POPPY FIELD” area, and upon which a prize symbol of \$100 (ONE HUN) appears below those Wild Poppy (WILD POPPY) symbols, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which five Wild Poppy (WILD POPPY) symbols appear in the “WILD POPPY FIELD” area, and upon which a prize symbol of \$50.⁰⁰ (FIFTY) appears below those Wild Poppy (WILD POPPY) symbols, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40.⁰⁰ (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(v) Holders of tickets upon which five Wild Poppy (WILD POPPY) symbols appear in the “WILD POPPY FIELD” area, and upon which a prize symbol of \$40.⁰⁰ (FORTY) appears below those Wild Poppy (WILD POPPY) symbols, on a single ticket, shall be entitled to a prize of \$40.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the

“WINNING NUMBERS” play symbols and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(x) Holders of tickets upon which five Wild Poppy (WILD POPPY) symbols appear in the “WILD POPPY FIELD” area, and upon which a prize symbol of \$30.⁰⁰ (THIRTY) appears below those Wild Poppy (WILD POPPY) symbols, on a single ticket, shall be entitled to a prize of \$30.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(z) Holders of tickets upon which five Wild Poppy (WILD POPPY) symbols appear in the “WILD POPPY FIELD” area, and upon which a prize symbol of \$20.⁰⁰ (TWENTY) appears below those Wild Poppy (WILD POPPY) symbols, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>YELLOW BRICK ROAD™ BONUS:</i>	<i>WILD POPPY FIELD:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
		\$20	\$20	33.33	18,000
\$20			\$20	10.53	57,000
		\$30	\$30	28.57	21,000
\$30			\$30	28.57	21,000
\$20 × 2			\$40	66.67	9,000
\$20		\$20	\$40	27.03	22,200
		\$40	\$40	50	12,000
\$40			\$40	66.67	9,000
\$30 + \$20			\$50	200	3,000
\$20		\$30	\$50	200	3,000
\$30		\$20	\$50	200	3,000
		\$50	\$50	200	3,000
\$50			\$50	200	3,000
\$50 × 2			\$100	2,000	300
\$20 × 4		\$20	\$100	2,000	300
\$30 × 2		\$40	\$100	2,000	300
\$40 × 2		\$20	\$100	2,000	300
\$50 + \$20		\$30	\$100	2,000	300
\$50 + \$30		\$20	\$100	2,000	300
\$50		\$50	\$100	2,000	300
		\$100	\$100	1,000	600
	\$100		\$100	142.86	4,200
5X BONUS w/ \$20			\$100	142.86	4,200

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>YELLOW BRICK ROAD™ BONUS:</i>	<i>WILD POPPY FIELD:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$100			\$100	2,000	300
\$20 × 10			\$200	120,000	5
\$40 × 5			\$200	120,000	5
\$50 × 4			\$200	120,000	5
	\$100	\$100	\$200	3,000	200
\$100		\$100	\$200	3,000	200
\$100	\$100		\$200	3,000	200
5X BONUS w/ \$20		\$100	\$200	2,400	250
5X BONUS w/ \$20	\$100		\$200	800	750
5X BONUS w/ \$30		\$50	\$200	800	750
5X BONUS w/ (\$20 × 2)			\$200	3,000	200
		\$200	\$200	6,000	100
5X BONUS w/ \$40			\$200	3,000	200
\$200			\$200	120,000	5
\$50 × 10			\$500	120,000	5
(\$50 × 2) + (\$40 × 3) + (\$30 × 5) + (\$20 × 4)		\$50	\$500	12,000	50
\$100 + \$50 + \$30 + \$20	\$100	\$200	\$500	6,000	100
\$100 × 4	\$100		\$500	6,000	100
\$200 + \$100	\$100	\$100	\$500	8,000	75
\$200 × 2	\$100		\$500	8,000	75
\$200	\$100	\$200	\$500	4,000	150
5X BONUS w/ \$40	\$100	\$200	\$500	3,429	175
5X BONUS w/ (\$50 + \$30 + \$20)			\$500	24,000	25
5X BONUS w/ (\$20 × 5)			\$500	24,000	25
5X BONUS w/ (\$50 × 2)			\$500	6,000	100
		\$500	\$500	60,000	10
5X BONUS w/ \$100			\$500	24,000	25
\$500			\$500	120,000	5
\$500 × 2			\$1,000	120,000	5
(\$100 × 3) + (\$50 × 5) + (\$40 × 2) + (\$30 × 5) + (\$20 × 5)	\$100	\$20	\$1,000	12,000	50
(\$200 × 2) + (\$100 × 2) + (\$50 × 2) + (\$40 × 2) + (\$30 × 2) + (\$20 × 2)	\$100	\$20	\$1,000	24,000	25
5X BONUS w/ (\$100 + \$50 + \$30 + \$20)			\$1,000	60,000	10
5X BONUS w/ (\$20 × 10)			\$1,000	60,000	10
5X BONUS w/ (\$40 × 5)			\$1,000	60,000	10
5X BONUS w/ (\$50 × 4)			\$1,000	60,000	10
5X BONUS w/ (\$100 × 2)			\$1,000	60,000	10
5X BONUS w/ \$200			\$1,000	24,000	25
\$1,000			\$1,000	120,000	5
5X BONUS w/ (\$1,000 × 2)			\$10,000	120,000	5

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>YELLOW BRICK ROAD™ BONUS:</i>	<i>WILD POPPY FIELD:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$10,000			\$10,000	120,000	5
\$300,000			\$300,000	200,000	3

5X BONUS: When a "GLINDA" (GLINDA) or a "WICKED WITCH" (WICKED WITCH) symbol appears in the 5X BONUS area, win 5 TIMES any prize won in the YOUR NUMBERS area. YELLOW BRICK ROAD™ BONUS is not multiplied.

YELLOW BRICK ROAD™ BONUS: When each of these three symbols appear in the YOUR NUMBERS area, win \$100 instantly!

WILD POPPY FIELD: When five "Wild Poppy" (WILD POPPY) symbols appear in the WILD POPPY FIELD below, win prize shown instantly! WILD POPPY FIELD is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") THE WIZARD OF OZ™ Second-Chance Drawing from the Pennsylvania Lottery for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5149 THE WIZARD OF OZ™ (\$20) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one THE WIZARD OF OZ™ Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. February 1, 2022, through 11:59:59 p.m. March 24, 2022, will be entered into the Drawing to be held between March 28, 2022 and April 7, 2022.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 5 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5149 THE WIZARD OF OZ™ (\$20) = 20 entries.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of 5X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 5X Multiplier Are 1 In:</i>
PA-5149 THE WIZARD OF OZ™	80,087	5

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that

winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(ii) The second through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(iii) The seventh through the fifty-sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be

tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play THE WIZARD OF OZ™ lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play THE WIZARD OF OZ™ lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote THE WIZARD OF OZ™ or through normal communications methods.

21. *Applicability:* This notice applies only to THE WIZARD OF OZ™ lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-177. Filed for public inspection January 28, 2022, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

United States Steel Corporation v. Department of Environmental Protection; EHB Doc. No. 2022-003-R

United States Steel Corporation has appealed the issuance by the Department of Environmental Protection of coverage under NPDES Permit No. PA0094510, for discharge at a plant located in Allegheny County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board's web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Center at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available online and upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 22-178. Filed for public inspection January 28, 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, December 9, 2021, and announced the following:

Action Taken—Regulation Disapproved

Department of State # 16-64: Representation in Charitable Organization Matters (amends 19 Pa. Code, Part B, to add Article VI (19 Pa. Code §§ 101.1—101.3))

Disapproval Order

Public Meeting Held
December 9, 2021

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson, Dissenting; John J. Soroko, Esq., Dissenting; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Department of State—Representation in
Charitable Organization Matters
Order Issued January 19, 2022
Regulation No. 16-64 (# 3320)*

On November 5, 2021, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of State (Department). This rulemaking amends 19 Pa. Code, Part B, to add Article VI (19 Pa. Code §§ 101.1—101.3). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation relates to representation in charitable organization matters under the Solicitation of Funds for Charitable Purposes Act (Act) (10 P.S. §§ 162.1—162.24). The rulemaking adopts the General Rules of Administrative Practice and Procedure (GRAPP) (1 Pa. Code §§ 31.1—35.251) for activities and proceedings before the Secretary of the Commonwealth and the Department, with one limited exception: it would allow for non-attorney representation in actions and proceedings under the Act for corporations, limited liability companies, trusts, partnerships and other associations, as well as for agencies and political subdivisions.

The Department explains that adoption of this rulemaking would provide smaller, less-established charitable organizations with a cost-effective alternative for representation at agency hearings. These types of hearings, it contends, generally involve questions of fact and may not require the legal expertise of an attorney. Hearings conducted under the Act are designed to be brief and informal. The Department asserts that requiring attorney representation in all adversarial hearings involving business entities, agencies or political subdivisions undermines the informal, speedy and low-cost nature of administrative proceedings and may even dissuade parties from defending matters against them (Regulatory Analysis Form (RAF) # 7 and 10, Preamble).

In addition to the information provided in the RAF and Preamble, the Department stated at the December 9th public meeting of the Commission that another benefit of the regulation would be a reduction in the need for continuances and delays in proceedings. Continuances occur when a party appears at a proceeding without attorney representation and has not petitioned the agency requesting permission for other representation. The Department reported at the Commission's public meeting that there are approximately 10 continuances annually (based on the last three years).

The Department also reported in the RAF that in the 2019-2020 fiscal year, it completed 389 investigations of charitable organizations, professional solicitors or fundraising counsels suspected of violating the Act. In that year, 43 Cease and Desist Orders were issued, 52 Consent Agreements were finalized and four adjudications were issued. Respondents in the 99 docketed matters were all advised of their right to obtain legal counsel. Approximately 60 percent of charitable organizations in these matters did not retain an attorney (RAF # 16).

Based on the information provided in the submitted regulatory documents and the discussion at the December 9th public meeting of the Commission, we find that the rulemaking is not in the public interest for the following reasons:

Need for the regulation; Clarity; and Implementation procedures

GRAPP requires all parties, except for individuals appearing on their own behalf, to be represented by an attorney unless otherwise permitted by the agency in a specific case. 1 Pa. Code §§ 32.21—31.23 (relating to appearance in person; appearance by attorney; and other representation prohibited at hearings). Since the possibility exists currently for entities to represent themselves in proceedings before the Department, we question the need for the regulation in its present form.

Notwithstanding the above, we also are concerned that this particular proposal does not sufficiently protect an individual's right to a fair and just proceeding. We concur that the hearings under GRAPP are designed to be quick and cost-effective but would note with equal emphasis that they are also meant to secure a "just . . . determination of the issues presented." 1 Pa. Code § 31.2 (relating to liberal construction)

The Department's representative described the nature of the hearings that would be affected by this rulemaking as "registration" issues. Based on the information submitted and the discussion at the Commission's public meeting, it is clear that proceedings under the Act have the potential to elevate to more serious matters. (RAF # 16) We cannot ignore, at the risk of expediency, the potential negative impact of this rulemaking on parties who may not fully understand the perils of their decision. Among our concerns is the potential for individuals without a lawyer who testify in an adversarial hearing that could be held liable for a charity organization's wrongdoing or for persons running a charity organization who may be unaware of the possibility of self-incrimination.

Another concern with this final-omitted regulation is that it is unclear what kind of proceedings would be covered by it. The terms "adversarial proceedings," "administrative hearings," "administrative proceedings," "hearings," and "formal proceedings" are used interchangeably in the RAF and Preamble. In the proposed Annex, the term "formal proceedings" is used in Sections 101.2 (relating to applicability of general rules of practice and procedure) and 101.3 (relating to representation in formal proceeding), but it is not defined in the regulation.

The Preamble explains that the Secretary, through this regulation, would join other Commonwealth agencies that

allow the option for non-attorney representation of certain business entities in administrative proceedings. It includes, by way of example, the Department of Agriculture, the Labor Relations Board, and the State Health Facility Hearing Board. In the latter case, non-attorney representation of these types of business entities is limited to an appeal or petition before the hearing board. See 37 Pa. Code § 197.9(a) Similarly, we would point to the Public Utility Commission's Rules of Practice and Procedure found at 52 Pa. Code § 1.21 and 1.23 (relating to appearance, and other representation prohibited at hearings) as another example of an agency's rules that limit non-attorney representation to "nonadversarial proceedings" or "informal proceedings." Each of these key terms, along with others, is defined in the PUC GRAPP regulations. If the Department proceeds with this rulemaking, it should likewise define "formal proceeding" and limit its application to nonadversarial matters or explain how the option for non-attorney representation of corporations, limited liability companies, trusts, partnerships, and other associations, as well as agencies and political subdivisions in adversarial proceedings is in the public interest.

Finally, this rulemaking lacks clarity regarding notices and the verification process used to determine whether an individual is authorized to represent the charitable organization. The Department should review and revise, if necessary, the incorporated provisions regarding notice of appearance to make certain that the process to petition the Department under 1 Pa. Code § 31.23(2) and the consequences of appearing without counsel are included should it submit a revised final-omitted rulemaking. The Department's response to this order should also detail the verification process that it will use to determine whether an individual is authorized to represent the charitable organization.

We have determined this regulation is consistent with the statutory authority of the Department of State (71 P.S. § 282 and 10 P.S. § 162.4(3)) and the intention of the General Assembly. However, after considering all of the other criteria of the Regulatory Review Act discussed above, we find promulgation of this regulation is not in the public interest.

By Order of the Commission:

This regulation is disapproved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-179. Filed for public inspection January 28, 2022, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
12-114	Department of Labor and Industry Minimum Wage 51 Pa.B. 7239 (November 20, 2021)	12/20/21	1/19/22

**Department of Labor and
Industry Regulation # 12-114 (IRRC # 3322)**

Minimum Wage

January 19, 2022

We submit for your consideration the following comments on the proposed rulemaking published in the November 20, 2021 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Department of Labor and Industry (Department) to respond to all comments received from us or any other source.

1. Whether the regulation is consistent with the intent of the General Assembly; Possible conflict with or duplication of statutes or existing regulations.

This proposed regulation updates the regulations governing tipped employees and the calculation of overtime for salaried employees. The Department is acting under the statutory authority of Sections 4 and 9 of The Minimum Wage Act of 1968 (MWA), addressing minimum wages and gratuities, respectively. 43 P.S. §§ 333.104 and 333.109.

The Department explains the need for the rulemaking in Section 10 of the Regulatory Analysis Form (RAF) that was submitted with the rulemaking as follows:

This regulation is necessary because of recent uncertainty surrounding federal regulations pertaining to these issues; because of ambiguity regarding the meaning of “regular rate;” and because the tip threshold in the definition of “tipped employee” should be updated after 44 years to reflect inflation and wage growth. In the past several years, federal administrations have differed greatly in policies that affect tipped workers, including their proposed, final, postponed final, and amended final regulations, as well as in their subregulatory opinions and guidance. Pennsylvania employers and workers deserve to have stable, consistent laws and regulations they can depend on as they plan their work operations. This proposed regulation seeks to alleviate the uncertainty persistent at the federal level and provide a reliable framework for Pennsylvania workers and employers that is more reflective of current wages and that reflects the inflation and wage growth since these portions of the regulation were last amended in 1977.

Twenty-one Democratic members of the Pennsylvania Senate, the Democratic Chairman of the House Labor and Industry Committee, and organizations representing worker advocates, litigators and restaurant workers (collectively referred to as “proponents”) submitted comments in support of the rulemaking. These commentators support the Department’s efforts to update its regulations and note that the Department has clear statutory authority to do so. They also provide citations and analysis of

numerous court cases that support the Department’s decision to implement these changes through the rule-making process.

The Chairman of the House Labor and Industry Committee and eight members of that Committee (nine members of the Committee), and organizations representing employers, businesses and the restaurant industry (collectively referred to as “opponents”) submitted comments in opposition to some or all parts of the rule-making. We will address specific sections of the rule-making that these commentators have identified as problematic below. This comment will focus on two related issues that affect several sections of the rulemaking.

The first issue relates to deviation from federal standards established by the United States Department of Labor (USDOL) relating to tipped employees and overtime calculations through its regulations and the problems employers and business owners will encounter as they try to implement two sets of rules. As quoted above, one of the reasons the Department is promulgating this rulemaking is to “. . .alleviate the uncertainty persistent at the federal level and provide a reliable framework for Pennsylvania workers and employers.” The opponents of the rulemaking believe any deviation from federal rules will add confusion, not clarity, to their regulatory obligations. It will also add additional cost to an industry already under stress from the ongoing pandemic.

The second issue relates to whether the Department is the proper authority to create a higher standard of protection for Pennsylvania employees and additional compliance obligations for employers. The Department, the proponents and the nine members of the Committee have stated that the federal Fair Labor Standards Act of 1938 does permit states to enforce labor laws that provide greater protection for employees than federal law. 29 U.S.C.A. §§ 201—219. However, in their comments to the Department, the nine members of the Committee state the following, “To avoid confusion and administrative headache for employers, we believe that the department regulations should align as closely as possible to the federal standards in the same areas, except in situations where the General Assembly has acted to create a higher standard.”

Since current members of the General Assembly have suggested that they should be the authority to create a higher standard of protection for employees, we ask the Department to explain how the promulgation of this regulation, which is more stringent than federal regulations, is consistent with the intention of the General Assembly in the enactment of the MWA.

2. Section 231.1. Definitions.—Implementation procedures.

The definition of “tipped employee” is being amended to raise the tipped employee threshold from \$30 per month to \$135 per month. The nine members of the Committee commend the Department for the reasonable level of increase. However, they note that the federal threshold for a tipped employee will remain at \$30 per month.

These members “strongly encourage that strenuous efforts be made to inform employers of the new threshold.” We ask the Department to explain in the Preamble to the final-form regulation how it intends to inform employers of this difference, and other potential differences between this rulemaking and federal standards.

3. Section 231.43. Regular rate.—Need; Reasonableness; Clarity; Implementation procedures.

Subsection (a)

Subsection (a)(1) is being amended to replace “at Christmas time” with “during any holiday.” The Department explains in the Preamble that this is being done to reflect that, “sums paid for any holiday should count towards the calculation of the regular rate.” The stated intent of this revision conflicts with existing language of Subsection (a), which currently states that the calculation of the regular rate “shall not be deemed to include” this type of pay. We ask the Department to clarify its intent for the implementation of Subsection (a)(1) and how employers are to calculate the regular rate for holiday pay in the Preamble to the final-form regulation.

Subsection (g)

Subsection (g) is a new provision that directs how employers are to calculate the regular rate paid to nonexempt salaried employees. It will require an employer to calculate the regular rate by totaling all remuneration received in a workweek and dividing that number by 40. As explained in the Preamble, the Department’s existing regulations do not include a procedure for calculating the regular rate of pay for employees who are paid a salary, the USDOL provides for a fluctuating workweek to determine the regular rate for salaried employees, and the Pennsylvania Supreme Court decided that under the MWA salaried employees are entitled to a 1.5 multiplier when the employee works a fluctuating workweek. We have four concerns with this subsection.

First, existing Subsection (b) addresses the calculation methodology of the regular rate for employees that are paid a flat sum for a day’s work or for doing a particular job without regard to the number of hours worked in the day or at the job. It requires an employer to calculate the regular rate by totaling all the sums received at the day rate or job rate in the workweek and dividing by the total hours actually worked. The calculation methodology of Subsection (b) differs from the calculation methodology being proposed under Subsection (g) for nonexempt salaried employees. The difference between the methodologies creates a disadvantage to employees covered by Subsection (b) when those employees work more than 40 hours per week. We ask the Department to explain the rationale and need for this difference in the Preamble to the final-form rulemaking. We also ask the Department to consider amending Subsection (b) in a manner that is consistent with the methodology used in Subsection (g).

Second, in instances when employees earn varying amounts of remuneration and are paid less frequently than weekly, this subsection would require employers to calculate the regular rate on a weekly basis, as noted by the nine members of the Committee. Did the Department consider an alternative calculation of the regular rate, such as allowing for calculation on a quarterly or annual basis? We ask the Department to consider clarifying this subsection to provide for additional rates of pay.

Third, as addressed by commentators, this subsection “complicates other compensation questions,” including calculation of overtime on commissions and bonuses for

hourly employees. A commentator stated that the Preamble signals that subsection (g) is intended to clarify the regular rate “in all cases.” The Department should explain how this subsection achieves that purpose and how overtime is calculated for all remuneration for hourly employees. Further, the Department should consider clarifying this section to address remuneration for nonsalaried employees.

Fourth, commentators have suggested that this section be amended to mirror federal regulations or to adopt the federal regulations by reference. This suggestion has also been made for Sections 231.111 and 231.112 (relating to tip credit for non-tipped duties; and tip pooling). A cornerstone of the Regulatory Review Act is to “encourage the resolution of objections to a regulation and the reaching of a consensus among the commission and the standing committees, interested parties and the agency.” As the Department develops the final-form regulation, we ask them to work with the commentators and legislators that have expressed concerns to determine if their recommendations can be incorporated into this rulemaking.

If the Department decides to adopt the recommendations of commentators and incorporates federal regulations by reference, we caution that while the Department may impose requirements already mandated by the federal government, the automatic incorporation by reference of future, and consequently unknown, requirements may be an improper delegation of the agency’s statutory authority. New obligations may be imposed without members of the regulated community and other parties having the opportunity for public comment, which is inconsistent with the Commonwealth Documents Law and the Regulatory Review Act. Additionally, section 1.6 of the *PA Code and Bulletin Style Manual* provides:

A rule adopting a code, standard or regulation by reference does not include subsequent amendments, rescissions or editions. If an agency wishes to incorporate subsequent amendments, rescissions or editions, the agency *must explicitly* do so by amendment of its existing rules or by rescinding its existing rules and promulgating new rules. (Emphasis added.)

4. Section 231.101. Minimum wage increase.—Implementation procedures.

This proposed rulemaking includes amendments to Section 231.101, a statement of policy pertaining to wage rates and the minimum wage. Statements of policy are nonregulatory documents that provide guidance by which an agency will carry out its duties. Unlike regulations, statements of policy are not enforceable. They are not binding upon third parties and cannot include requirements that would impose penalties for noncompliance.

If these minimum wage provisions are binding on employers and necessary for the implementation of these regulations, we suggest the text of this statement of policy be added as a new regulation in the final-form rulemaking. As part of this process, the Department should rescind Section 231.101 in the *Pennsylvania Bulletin* to coincide with the final-form regulation and show this section as deleted in the final-form annex.

5. Section 231.111. Tip credit for non-tipped duties.—Clarity and lack of ambiguity; Implementation procedures.

This section outlines the requirements for an employer to take a tip credit for times when a tipped employee is performing duties that do not generate tips. This is referred to as the 80/20 rule. As explained in the Preamble, this section is needed because the Department

does not have regulations governing the work done by tipped employees. The Department acknowledges the ongoing changes and uncertainty surrounding the USDOL's 80/20 rule and proposes this section to "eliminate confusion for employers in this Commonwealth."

The nine members of the Committee believe that the "federal rule provides much more clarity, common examples, and uses different terminology than the proposed rule." As also echoed by a commentator, this section lacks definitions and examples included in the federal 80/20 rule that are central to its implementation, including "work that is part of the tipped occupation," "tip-producing work," "directly supporting work," "substantial amount of time" and "work that is not part of the tipped occupation."

These members recommended that the Department "focus its efforts on ensuring that the state's 80/20 rule be drafted as closely as possible to the more detailed federal 80/20 rule to avoid any additional disparities between the two" and reference 29 CFR 531.56(f) (relating to more than \$30 a month in tips) "to determine when employers may take a tip credit for an employee who is a tipped employee" and "provide a safe harbor for any employer who complies with the federal 80/20 rule." We concur with the nine members of the Committee that the clarity of this section, and implementation by the regulated community, would be improved by more closely mirroring the federal 80/20 rule.

6. Section 231.112. Tip pooling.—Need; Clarity.

This section allows an employer to establish a tip pool for tipped employees. The Department intends for this section to eliminate the confusion caused by the USDOL's frequently changing guidance. The regulation is limited to tipped workers so that they do not "lose control of their earned tips if forced to participate in tip pooling with non-tipped workers because the tip pooling effectively subsidizes the wages of non-tipped employees."

As detailed by the nine members of the Committee, this section has "major differences with the federal rule on the same topic—and this is likely to lead to major confusion for employers who utilize tip pools." They also point out that the federal regulation provides for tip pooling among all workers when the employer does not take the tip credit, thereby paying tipped employees at least the full minimum wage.

We ask the Department to explain why this section is needed in light of the federal regulation. We also ask the Department to explain why it did not include the option for employers to establish a tip pooling system for all employees when the tip credit is not utilized by employers.

7. Section 231.113. Credit card fees.—Need; Clarity; Implementation procedures.

This section directs that an employer shall pay the tipped employee the full amount of tips and may not deduct credit card payment processing fees or costs charged to the employer. We have three concerns.

First, this section guarantees "the employee the full amount of the tip authorized by the patron." This appears to tie amount tipped by the patron directly to one tipped employee. How will an employer implement this provision when employees are required to participate in a tip pool? We ask the Department to consider clarifying this subsection to include employers who may utilize tip pools.

Second, under Section 103(d)(2) of the MWA, "the gratuity shall become the property of the employee." 43 P.S. § 333.103(d)(2). The nine members of the Committee opine that "[g]iven the clear language of the statute that gratuities are the property of the employee and the straightforward nature of these transactions, it is not clear why this additional section is necessary." We ask the Department explain why this section is needed given the statutory requirement already placed upon employers.

Third, this section is limited to payment processing fees and costs charged by credit card companies. However, as noted by the nine members of the Committee, customers may utilize a variety of payment methods, including debit cards. Accordingly, if the Department demonstrates the need for this section, we ask it to clarify this section to include all methods of payment that may carry a processing fee or cost.

8. Section 231.114. Service charges.—Statutory authority; Need.

This section requires an employer to disclose to a patron the administrative charge for a banquet, special function or package deal. An employer is further required to state that this charge does not include a tip and also include a line item on billing statements for tips. The MWA safeguards the minimum wage rates and addresses the relationship between an employer and an employee. However, this section addresses the relationship between an employer and a consumer. As noted by the nine members of the Committee "communications between a business and a consumer are already regulated by the Unfair Trade Practices and Consumer Protection Law...and regulations issued under that act by the Attorney General." 73 P.S. §§ 201-1—201-10. The Department should explain its statutory authority to promulgate this section and why it is needed given the protections under the Unfair Trade Practices and Consumer Protection Law. Should the Department determine that this section is needed, we ask that it be revised for consistency with existing laws and regulations.

9. Economic or fiscal impacts.

The Department explains in RAF Question # 19 that over 36,000 businesses of three types will be required to comply with this regulation: those that employ workers who meet the definition of "tipped employee"; those that charge service charges for banquets, package deals or special events; and those that pay employees under a fluctuating workweek. In addition, the Department estimates that over 199,000 employees will be impacted by this regulation.

The responses to RAF Questions # 19 and 23 only contemplate the fiscal impact on over 36,000 employers to review the new regulations and one-time adjustments to scheduling, staffing and payroll. The responses to these questions calculate a one-time cost during the implementing fiscal year of \$17,261,640. Yet, the Department acknowledges in RAF Question # 19 that employers who take the tip credit and opt to pay the state minimum wage, or are required to do so under the increased tip threshold, will incur an added cost of labor. The shift of credit card fees and the regular rate for salaried employees may also result in a fiscal impact to employers.

While it is understood that computing the fiscal impact of these regulatory provisions is difficult, we ask the Department to provide an estimate of costs for implementing this regulation by updating its responses to the RAF and the fiscal impact section of the Preamble. We

will review the Department’s responses to this concern in determining whether the regulation is the public interest.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-180. Filed for public inspection January 28, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

**Michael L. Hansen, Sr.; License Denial Appeal;
Doc. No. AG22-01-011**

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Michael L. Hansen, Sr. has appealed the denial of an application for an insurance producer’s license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing videoconference initiated by this office is scheduled for February 17, 2022, at 9:30 a.m. A date for a hearing shall be determined, if necessary, at the prehearing videoconference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before February 3, 2022. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before February 15, 2022.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 22-181. Filed for public inspection January 28, 2022, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Act 13 of 2012; Producer Fees for Calendar Year 2021

Average Annual Price of Natural Gas for Calendar Year 2021:⁽¹⁾ \$3.841

Consumer Price Index, Urban Consumers, PA, NJ, DE and MD:⁽²⁾ 6.6%

**Number of Spud Wells for
Calendar Years 2020 and 2021**

	2020	2021
Number of wells spud	476	518

CPI adjustment to spud well fees is applicable in 2021. See 58 Pa.C.S. § 2302(c) (relating to unconventional gas well fee).

**Unconventional Gas Well Fees for
Calendar Year 2021**

<i>Year of Well</i> ⁽³⁾	<i>Horizontal</i>	<i>Vertical—Producing</i>
Year 1	\$54,000	\$10,800
Year 2	\$43,200	\$8,600
Year 3	\$32,400	\$6,500
Year 4—10	\$21,600	\$4,300

⁽¹⁾ Source: www.business.directenergy.com

⁽²⁾ Source: www.bls.gov

⁽³⁾ Horizontal unconventional gas wells pay the yearly fee upon spudding plus 2 subsequent years. Fees after the first 3 years are based on production levels as defined in 58 Pa.C.S. § 2302(b.1). Vertical wells producing gas levels above a 90,000 cubic feet average in any one given month during the current reporting year are subject to 20% of the applicable horizontal well fee rounded to the nearest \$100.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-182. Filed for public inspection January 28, 2022, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

**Electric Generation Supplier License Cancellations
of Companies with an Expired Financial Security,
Insufficient Financial Security Amount or
Language**

Public Meeting held
January 13, 2022

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; John F. Coleman, Jr., Vice Chairperson; Ralph V. Yanora

*Electric Generation Supplier License Cancellations of
Companies with an Expired Financial Security,
Insufficient Financial Security Amount or Language;
M-2021-3023559*

Tentative Order

By the Commission:

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS’s current security expiration date. Each financial instrument must be an original document that displays a “wet” signature or digital signature, preferably in blue ink, and displays a “raised seal” or original notary stamp. The name of the

principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website, and notification to all electric distribution companies, in

which each company is licensed to do business, of the cancellation of the license.

As of January 4, 2022, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2018-2640992	APOLLO EDISON, LLC	12/24/2021	Yes
A-2017-2613121	AURORA ENERGY ADVISORS, LLC	12/12/2021	Yes
A-2010-2205475*	GREAT AMERICAN POWER, LLC	12/1/2022	No
A-2014-2433775*	MARATHON POWER, LLC	12/31/2021	No
A-2017-2612022	MY ENERGY OPTION, LLC	12/14/2021	Yes
A-2013-2398398	NATIONAL POWER SOURCE, LLC	1/1/2022	Yes
A-2017-2613612*	PENNSYLVANIA GRAIN PROCESSING, LLC	12/15/2021	No
A-2011-2232137	SUSTAINABLE STAR, LLC	1/1/2022	Yes
A-2020-3016555	US ENERGY LINK, LLC	12/23/2021	Yes

*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier's assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing

Docket No. M-2021-3023559 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all

electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: January 13, 2022

ORDER ENTERED: January 13, 2022

[Pa.B. Doc. No. 22-183. Filed for public inspection January 28, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before February 14, 2022. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by February 14, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov 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-2022-3030369. Sierra Transportation, LLC (3327 West Carson Street, Pittsburgh, Allegheny County, PA 15204) to transport persons, by motor vehicle, in paratransit service, from points in the Counties of Allegheny, Beaver, Butler and Washington, to points in Pennsylvania, and return. *Attorney:* William H. Stewart, III, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219.

A-2022-3030378. Fleetwood Cab Services, LLC (34 East Main Street, Fleetwood, Berks County, PA 19522) persons upon call or demand in Berks County. *Attorney:* JoAnn Ruchlewicz, 1716 Olive Street, Reading, PA 19604.

A-2022-3030380. Fleetwood Cab Services, LLC (34 East Main Street, Fleetwood, Berks County, PA 19522) in limousine service, from points in Berks County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* JoAnn Ruchlewicz, 1716 Olive Street, Reading, PA 19604.

A-2022-3030381. Roger E. and Tracie A. Yerger, t/a Yerger Transportation (228 Rockey Road, Loganton, Clinton County, PA 17747) to transport persons, in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, from points in Clinton County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-184. Filed for public inspection January 28, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Wastewater Service; Telephonic Prehearing Conference

A-2021-3027268. Aqua Pennsylvania Wastewater, Inc. (APW). Application of Aqua Pennsylvania Wastewater, Inc., (APW) under 66 Pa.C.S. §§ 1102 and 1329 (relating to enumeration of acts requiring certificate; and valuation of acquired water and wastewater systems) for: (1) approval of the acquisition by APW of the wastewater system assets of Willistown Township situated within the Township Willistown, Chester County; (2) approval of the right of APW to begin to offer, render, furnish and supply wastewater service to the public in portions of Willistown Township, Chester County; and (3) an order approving the acquisition that includes the ratemaking rate base of the Willistown Township wastewater system assets under 66 Pa.C.S. § 1329(c)(2). Request for approval of contracts, including assignments of contracts, between APW and Willistown Township, under 66 Pa.C.S. § 507 (relating to contracts between public utilities and municipalities). Request for approval of a contract between affiliated interests, under 66 Pa.C.S. § 2102 (relating to approval of contracts between affiliated interests).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, February 14, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account

through the Commission's web site at www.puc.pa.gov or may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Aqua Pennsylvania Wastewater, Inc.

Through and By Counsel: Thomas T. Niesen, Esquire, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 302, Harrisburg, PA 17101, (717) 255-7600, tniesen@tntlawfirm.com

Telephonic Prehearing Conference

A telephonic prehearing conference on the previously captioned case will be held as follows:

<i>Date:</i>	Tuesday, February 15, 2022
<i>Time:</i>	10 a.m.
<i>Location:</i>	Telephonic Prehearing Conference Call-in Instructions are provided as follows
<i>Presiding:</i>	Administrative Law Judge Jeffrey A. Watson Piatt Place Suite 220 301 5th Avenue Pittsburgh, PA 15222 (412) 565-3550 Fax: (412) 565-5692

At the previously listed date and time, participants must call into the telephonic prehearing conference. Individuals will not be called by the Presiding Officer.

To participate in the telephonic prehearing conference, individuals must:

- Dial the following toll-free number.
- Enter the PIN number when instructed to do so listed as follows.
- Speak the individual's name when prompted.

The telephone system will connect individuals to the telephonic prehearing conference.

Toll-free Bridge Number: (866) 675-4281
PIN Number: 85057514

Individuals with a disability who wish to attend the telephonic prehearing conference should contact the Commission to make arrangements for their special needs. Call the Scheduling Office at the Commission at least 5 business days prior to the telephonic prehearing conference to submit a request.

Individuals who require an interpreter to participate in the telephonic prehearing conference, the Commission will make every reasonable effort to have an interpreter present. Call the Scheduling Office at the Commission at least 10 business days prior to the telephonic prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-185. Filed for public inspection January 28, 2022, 9:00 a.m.]

STATE BOARD OF NURSING

Automatic Suspension of the License to Practice Professional Nursing of Kathryn Claire Kaplin, RN; Case No. 20-51-010291

On May 4, 2021, Kathryn Claire Kaplin, RN, license No. RN616403, last known of Philadelphia, Philadelphia County, had her license automatically suspended, effective December 15, 2020, based on her misdemeanor conviction under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the adjudication at www.pals.pa.gov.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 22-186. Filed for public inspection January 28, 2022, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Kimberlee Nottingham, RN; Case No. 20-51-001502

On July 27, 2021, Kimberlee Nottingham, RN, license No. RN286620L, last known of Naples, FL, was indefinitely suspended until she proves that she is fit to practice nursing with reasonable skill and safety and was assessed a \$500 civil penalty, based on disciplinary action taken against her license by the proper licensing authority of another state and her failure to report the same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication at www.pals.pa.gov.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 22-187. Filed for public inspection January 28, 2022, 9:00 a.m.]

**STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND
SALESPERSONS**

**Bureau of Professional and Occupational Affairs v.
Stephen J. Shimko; Case No. 19-60-012647**

On July 9, 2021, Stephen J. Shimko, vehicle salesperson license No. MV205586, last known of Hollidaysburg, Blair County and Allentown, Lehigh County, was suspended for at least 2 years, based upon his felony convictions.

Individuals may obtain a copy of the adjudication at www.pals.pa.gov.

This order represents the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

KIRK A. DAVIS,
Chairperson

[Pa.B. Doc. No. 22-188. Filed for public inspection January 28, 2022, 9:00 a.m.]

