

PENNSYLVANIA BULLETIN

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Agencies in this issue

The Governor
The General Assembly
The Courts
Department of Banking and Securities
Department of Education
Department of Environmental Protection
Department of General Services
Department of Health
Department of Human Services
Department of Revenue
Department of Transportation
Executive Board
Insurance Department
Legislative Reference Bureau
Pennsylvania Public Utility Commission
Public School Employees' Retirement Board
State Horse Racing Commission
Susquehanna River Basin Commission
Detailed list of contents appears inside.



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

No. 567, February 2022

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CONTENTS

THE GOVERNOR

Proclamations

Proclamation; House Bill No. 979, Printer's
No. 1706 1108

Vetoes

Notice of veto; House Bill No. 979, Printer's
No. 1706 1108

THE GENERAL ASSEMBLY

The General Assembly

A Concurrent Resolution 1110

THE COURTS

LOCAL COURT RULES

Crawford County

In the matter of the modification of local rules;
No. AD 2022-65..... 1111

Schuylkill County

Local rule of civil procedure 1910.25-4 civil con-
tempt. alternative procedure; AD-17-2022 1111

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications..... 1114

DEPARTMENT OF EDUCATION

Notices

Application by Jersey College to operate two loca-
tions in this Commonwealth..... 1114

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices..... 1115
Bid opportunity..... 1181
Bond rate guidelines for the calculation of land
reclamation bonds on coal mining operations 1181
Bond rate guidelines for the calculation of land
reclamation bonds on noncoal mining operations .. 1183
Mining and Reclamation Advisory Board; Regula-
tion, Legislation and Technical Committee meet-
ing..... 1185
Nutrient Credit Trading Program actions; certifica-
tion amendment request approval..... 1186
Small Business Compliance Advisory Committee
meeting rescheduled 1186
Solid Waste Advisory Committee meeting cancella-
tion..... 1187

DEPARTMENT OF GENERAL SERVICES

Notices

Exempt machinery and equipment steel products ... 1187

DEPARTMENT OF HEALTH

Notices

Decisions on requests for exceptions to health care
facility regulations 1189
Hospitals; requests for exceptions 1190
Medical Care Availability and Reduction Error
(MCARE) Act surcharge..... 1191
Nursing Home Patient Safety Trust Fund surcharge
for fiscal year 2021-2022 as provided for under
the Medical Care Availability and Reduction of
Error (MCARE) Act..... 1192

DEPARTMENT OF HUMAN SERVICES

Notices

Supplemental payments to qualifying hospitals 1192

DEPARTMENT OF REVENUE

Notices

Pennsylvania 333 instant lottery game 1573..... 1193
Pennsylvania \$50,000 Count Up instant lottery
game 1572 1196
Pennsylvania \$1,000,000 Cash King instant lottery
game 1570 1197
Pennsylvania Golden Egg instant lottery game 1574 . 1201
Pennsylvania Hello 50 instant lottery game 1571 ... 1204

DEPARTMENT OF TRANSPORTATION

Notices

Contemplated sale of land no longer needed for
transportation purposes 1208
Watercraft trailer forfeiture; maximum amount 1208

EXECUTIVE BOARD

Statements of Policy

Reorganization of the Fish and Boat Commission ... 1112

INSURANCE DEPARTMENT

Notices

Alleged violation of insurance laws; Johnnie Lee
Williams, Jr.; doc. No. SC22-02-012 1208
Workers' Compensation Security Fund assessment;
notice 2022-02 1209

LEGISLATIVE REFERENCE BUREAU

Notices

Documents filed but not published 1209

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Investigation into conservation service provider and
other third party access to electric distribu-
tion company customer data; doc. No. M-2021-
3029018..... 1209
Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Columbia Gas of
PA, Inc. 1212
Service of notice of motor carrier applications..... 1226
Telecommunications..... 1227
Telecommunications service (2 documents)..... 1227
Wastewater service; telephonic prehearing confer-
ence 1228

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

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Notices

Hearing scheduled 1229

STATE HORSE RACING COMMISSION

Notices

Receipt of matters subject to intervention 1230

SUSQUEHANNA RIVER BASIN COMMISSION

Notices

Commission meeting 1230

Grandfathering registration notice 1230

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

Adopted Rules

| | |
|---------|-----|
| 1 | 936 |
| 7 | 336 |

Statements of Policy

| | |
|---------|------|
| 9 | 1112 |
|---------|------|

22 Pa. Code (Education)

Adopted Rules

| | |
|------------|-----|
| 741 | 356 |
| 741a | 356 |

Statements of Policy

| | |
|-----------|------|
| 238 | 1009 |
|-----------|------|

25 Pa. Code (Environmental Protection)

Proposed Rules

| | |
|------------|-----|
| 92a | 361 |
| 121 | 689 |
| 129 | 689 |
| 261a | 235 |
| 271 | 363 |
| 279 | 363 |

28 Pa. Code (Health and Safety)

Adopted Rules

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

31 Pa. Code (Insurance)

Proposed Rules

| | |
|-----------|-----|
| 90j | 830 |
|-----------|-----|

34 Pa. Code (Labor and Industry)

Adopted Rules

| | |
|-----------|-----|
| 401 | 971 |
| 403 | 971 |

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

| | |
|----------|-----|
| 19 | 444 |
| 37 | 17 |
| 41 | 446 |
| 42 | 448 |

Proposed Rules

| | |
|----------|-----|
| 18 | 985 |
| 42 | 835 |

52 Pa. Code (Public Utilities)

Proposed Rules

| | |
|----------|-----|
| 59 | 992 |
|----------|-----|

58 Pa. Code (Recreation)

Adopted Rules

| | |
|-----------|-----|
| 113 | 983 |
|-----------|-----|

67 Pa. Code (Transportation)

Adopted Rules

| | |
|----------|----|
| 55 | 68 |
|----------|----|

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

| | |
|----------|-----|
| 29 | 339 |
| 71 | 341 |
| 82 | 964 |

Proposed Rules

| | |
|-----------|----------|
| 81 | 942 |
| 83 | 942, 965 |
| 303 | 583 |

207 Pa. Code (Judicial Conduct)

Adopted Rules

| | |
|---------|-----|
| 1 | 680 |
|---------|-----|

210 Pa. Code (Appellate Procedure)

Adopted Rules

| | |
|----------|---|
| 19 | 9 |
|----------|---|

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

| | |
|---------------|----------|
| 200 | 440 |
| 400 | 10, 682 |
| 1915 | 826 |
| Part II | 441, 684 |

234 Pa. Code (Rules of Criminal Procedure)

Proposed Rules

| | |
|----------|----------|
| 1 | 205, 346 |
| 5 | 205, 346 |
| 6 | 346 |
| 7 | 205 |
| 10 | 205, 346 |

237 Pa. Code (Juvenile Rules)

Proposed Rules

| | |
|---------|----|
| 5 | 11 |
|---------|----|

249 Pa. Code (Philadelphia Rules)

| | |
|--------------------|----------|
| Unclassified | 230, 827 |
|--------------------|----------|

252 Pa. Code (Allegheny County Rules)

| | |
|--------------------|----|
| Unclassified | 13 |
|--------------------|----|

255 Pa. Code (Local Court Rules)

| | |
|--------------------|--|
| Unclassified | 14, 15, 16, 231, 232, 233, 353, 443, 685, 828, 968, 969, 1111 |
|--------------------|--|

THE GOVERNOR

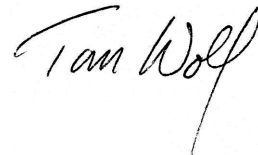
GOVERNOR'S OFFICE

Proclamation; House Bill No. 979, Printer's No. 1706

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

House Bill No. 979, Printer's No. 1706, entitled "An act [a]mending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the *Pennsylvania Consolidated Statutes*, in firearms and other dangerous articles, further providing for limitation on the regulation of firearms and ammunition; and, in preemptions, providing for regulation of firearms and ammunition."

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



Governor

Attest:

LEIGH M. CHAPMAN,
Acting Secretary

[Pa.B. Doc. No. 22-265. Filed for public inspection February 18, 2022, 9:00 a.m.]

GOVERNOR'S OFFICE

Notice of Veto; House Bill 979, Printer's No. 1706

February 3, 2022

To the Honorable House of Representatives
of the Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 979, Printer's Number 1706.

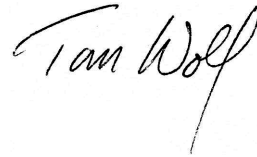
This legislation is an attack on local governments who take action to find commonsense solutions to gun violence and is yet another bill that shows indifference to the safety of Pennsylvanians.

During a time when injuries and deaths from gun violence are spiking, House Bill 979 would discourage local jurisdictions from attempting to regulate firearms. In addition, it provides an opportunity for individuals to challenge local ordinances and sue a county, municipality, or township that violates the prohibition on stricter firearms laws. Under House Bill 979, Philadelphia, which saw more gun violence-related deaths than days in January, may have difficulty enforcing local laws that were created to curb the violence and save families and communities from continued heartache.

When I vetoed Senate Bill 565 of 2021, a bill that would have allowed unvetted gun owners to carry concealed weapons through our streets, I stated that these victims and communities deserve to have meaningful legislation passed to address the scourge of gun violence. I stand by that. I have offered many ideas that would help keep Pennsylvanians safe while respecting the rights of responsible gun owners, including legislation to require safe storage, authorize extreme risk protection orders, enhance reporting requirements for lost or stolen guns and close gaps in the background check system—and yet, I have not received a bill from the General Assembly that seeks to address this issue in a meaningful way. Instead, I have received a bill that seeks to attack local governments who wish to find solutions for those that they serve. I urge the Republican-controlled General Assembly to stop enabling the problem and step up to be a part of the solution.

For the reasons set forth above, I must withhold my signature from House Bill 979, Printer's Number 1706.

Sincerely,

A handwritten signature in black ink that reads "Tom Wolf". The signature is written in a cursive, flowing style.

Governor

[Pa.B. Doc. No. 22-266. Filed for public inspection February 18, 2022, 9:00 a.m.]

THE GENERAL ASSEMBLY

THE GENERAL ASSEMBLY

A Concurrent Resolution

Extending in whole the disaster emergency declared on January 28, 2022, in response to the Forbes Avenue/Fern Hollow Bridge Collapse.

Whereas, On January 28, 2022, the Governor issued a proclamation declaring a disaster emergency in response to the collapse of the Forbes Avenue/Fern Hollow Bridge in the City of Pittsburgh, Allegheny County; and

Whereas, Multiple vehicles were driving on the bridge at the time of the collapse; and

Whereas, Vehicles, motorists and passengers fell approximately 100 feet during the collapse; and

Whereas, Motorists and first responders sustained injuries as a result of the collapse; and

Whereas, The City of Pittsburgh and surrounding political subdivisions continue to experience adverse effects to include ongoing traffic disruptions in and around the scene of the incident; and

Whereas, These adverse impacts are of such magnitude or severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable State, county and municipal emergency response plans; and

Whereas, Recovery efforts in response to the damage caused by the collapse remain ongoing; and

Whereas, Extending the disaster declaration will ensure that the Department of Transportation is eligible to receive emergency relief funding from the Federal Government to assist the City of Pittsburgh; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania, in accordance with section 20(c) of Article IV of the Constitution of Pennsylvania, extend in whole until March 31, 2022, the disaster emergency declared on January 28, 2022, in response to the collapse of the Forbes Avenue/Fern Hollow Bridge in the City of Pittsburgh, Allegheny County, except as terminated or extended, in whole or in part, by the General Assembly; and be it further

Resolved, That, upon adoption of this concurrent resolution by both chambers of the General Assembly, the Secretary of the Senate and the Chief Clerk of the House of Representatives notify the Governor of the General Assembly's action; and be it further

Resolved, That the Secretary of the Senate and the Chief Clerk of the House of Representatives transmit this concurrent resolution to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* under 45 Pa.C.S. § 725(a)(4); and be it further

Resolved, That this concurrent resolution take effect immediately.

[Pa.B. Doc. No. 22-267. Filed for public inspection February 18, 2022, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

CRAWFORD COUNTY

In the Matter of the Modification of Local Rules; No. AD 2022-65

Order

And Now, February 8, 2022, the Court *Orders* as follows:

1. Local Rule of Civil Procedure 230.2 and Local Rule of Judicial Administration 1901, both titled “Termination of Inactive Cases,” are hereby rescinded, effective thirty days after publication in the *Pennsylvania Bulletin*;

2. Local Rule of Judicial Administration 1901.1, governing the termination of inactive cases in the Office of the Prothonotary, is hereby adopted in the form following this Order, effective thirty days after publication in the *Pennsylvania Bulletin*; and

3. The District Court Administrator is *Ordered* and *Directed* to publish and disseminate this Order in conformity with Pa.R.J.A. 103.

By the Court

JOHN F. SPATARO,
President Judge

Rule 1901.1. Termination of Inactive Cases in the Office of the Prothonotary.

Cases filed in the Office of the Prothonotary in which there has been no activity of record for two years or more shall be subject to termination in the manner provided by Pennsylvania Rule of Civil Procedure 230.2.

[Pa.B. Doc. No. 22-268. Filed for public inspection February 18, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

SCHUYLKILL COUNTY

Local Rule of Civil Procedure 1910.25-4 Civil Contempt. Alternative Procedure; AD-17-2022

Order of Court

And Now, this 8th day of February, 2022, at 11:25 a.m., the Schuylkill County Court of Common Pleas hereby rescinds Local Rule of Civil Procedure No. 1910.25-4 for use in the Schuylkill County Court of Common Pleas, Twenty-First Judicial District, effective 30 days after publication in the *Pennsylvania Bulletin*.

The Schuylkill County District Court Administrator is Ordered and Directed to do the following:

1) File one (1) copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts via email to adminrules@pacourts.us.

2) File two (2) paper copies of this Order and Rule and (1) electronic copy in a Microsoft Word format to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Publish the local rule on the Schuylkill County Court website at www.co.schuylkill.pa.us.

4) Incorporate the local rule into the set of local rules on www.co.schuylkill.pa.us within thirty (30) days after publication in the *Pennsylvania Bulletin*.

5) File one (1) copy of the local rule in the Office of the Schuylkill County Clerk of Courts and provide a copy to the Prothonotary for public inspection and copying.

6) Forward one (1) copy to the Law Library of Schuylkill County for publication in the *Schuylkill Legal Record*.

By the Court

JACQUELINE L. RUSSELL,
President Judge

Rule 1910.25-4. Contempt. Alternative Procedure. Record Hearing. Report. Exceptions. Order.

Rescinded.

[Pa.B. Doc. No. 22-269. Filed for public inspection February 18, 2022, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Fish and Boat Commission

The Executive Board approved a reorganization of the Fish and Boat Commission effective February 2, 2022.

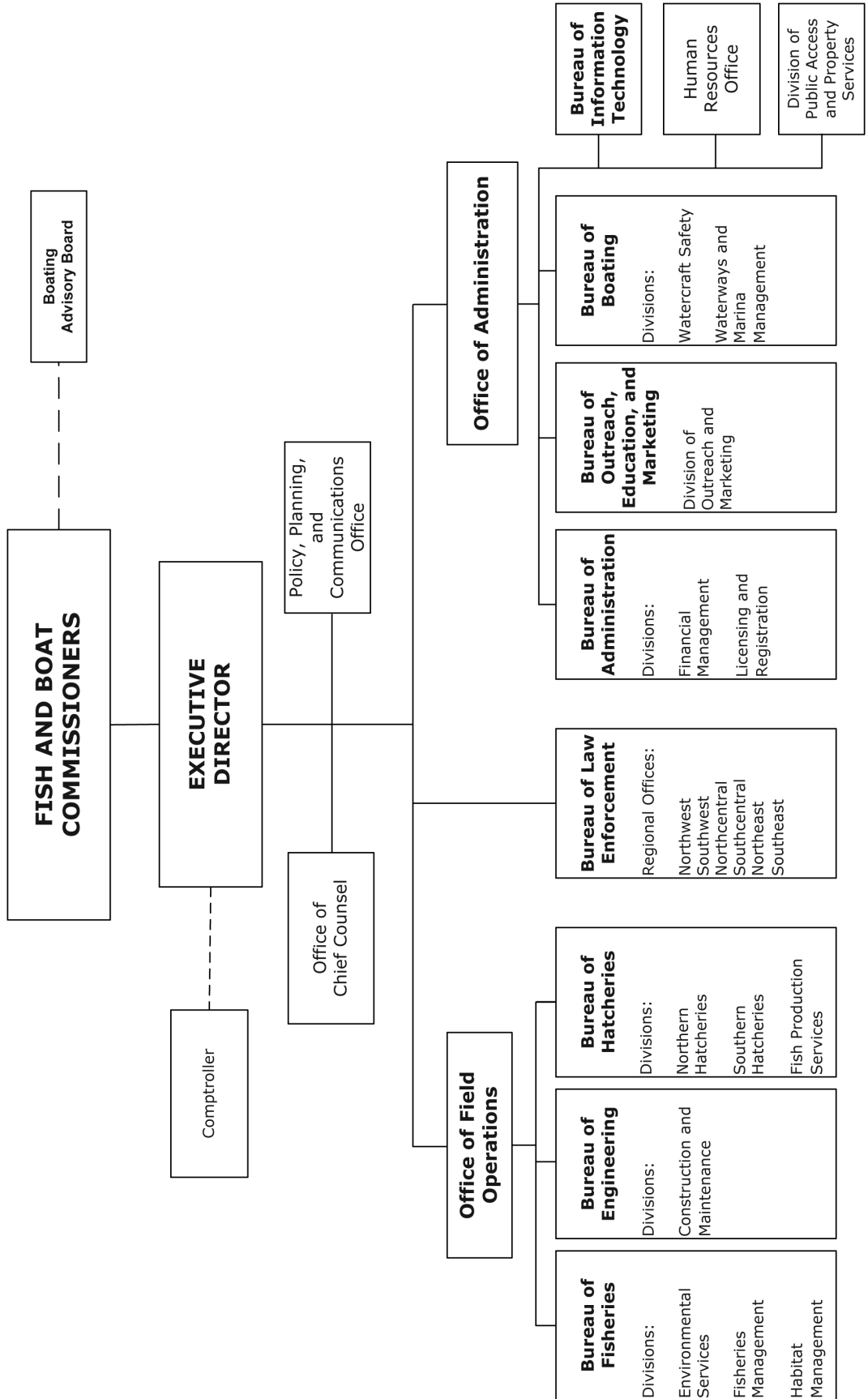
The organization chart at 52 Pa.B. 1113 (February 19, 2022) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 22-270. Filed for public inspection February 18, 2022, 9:00 a.m.]

OR 22-01
February 2, 2022

FISH AND BOAT COMMISSION



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 February 8, 2022.

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

BANKING INSTITUTIONS

Section 112 Acquisitions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|---|---------------|
| 02-03-2022 | Robert Dong H. Lee Alpine Bergen County, NJ | Filed |
| | Kum H. Lee Alpine Bergen County, NJ | |
| | Chang H. Lee Palisades Park Bergen County, NJ | |

Application for approval to purchase or otherwise acquire voting control of shares that will result in control of 5% or more of the shares of common stock of Noah Bank, Elkins Park, PA.

Branch Applications

De Novo Branches

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 12-06-2021 | William Penn Bank Levittown Bucks County | 4631 Nottingham Way Hamilton Mercer County, NJ | Opened |

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. 22-271. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Jersey College to Operate Two Locations in this Commonwealth

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval for Jersey College to open a location in Jenkintown and Scranton for

the purpose of offering the Associate of Applied Science in Nursing. Final approval is contingent upon State Board of Nursing approval.

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 requires an auxiliary aid, service or other accommodations to participate, should contact the Division of Higher Education, Access and Equity at (717) 783-6786 to discuss accommodations.

NOE ORTEGA,
Secretary

[Pa.B. Doc. No. 22-272. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

Section *Category*

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General 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> |
|---------------------------|--|-------------------------|---|--|-------------------|
| 0622801 | Joint DEP/PFBC Pesticides Permit | Renewal | Reading Area Water Authority Berks County 1801 Kutztown Road Reading, PA 19604 | Ontelaunee Township Berks County | SCRO |
| PA0021148 | Major Sewage Facility with CSOs Individual NPDES Permit | Transfer | Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672 | Mount Pleasant Borough Westmoreland County | SWRO |
| 0463S81 | Major Sewage Treatment Facility Individual WQM Permit | Transfer | Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672 | Mount Pleasant Borough Westmoreland County | SWRO |
| PA0042161 | Minor Sewage Facility < 0.05 MGD Individual NPDES Permit | Transfer | BG275 Properties, LLC 848 W North Avenue Pittsburgh, PA 15233-1617 | Raccoon Township Beaver County | SWRO |

NOTICES

1117

| <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> |
|---------------------------|---|-------------------------|--|--|-------------------|
| 1422201 | Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit | New | Haines Aaronsburg Municipal Authority P.O. Box 254 Aaronsburg, PA 16820-0254 | Haines Township Centre County | NCRO |
| 0410404 | Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit | Amendment | Family Guidance, Inc. 227 Lance Road Clinton, PA 15026-1567 | Hanover Township Beaver County | SWRO |
| 0476402 | Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit | Transfer | BG275 Properties, LLC 848 W North Avenue Pittsburgh, PA 15233-1617 | Raccoon Township Beaver County | SWRO |
| 0697407 | Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit | Amendment | Jackson Township Sewer Authority York County 439 Roth Church Road Spring Grove, PA 17362-8872 | Jackson Township York County | SCRO |
| 3801403 | Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit | Amendment | Mount Gretna Borough Authority Lebanon County P.O. Box 61 101 Chautauqua Drive Mount Gretna, PA 17064-0061 | Mount Gretna Borough Lebanon County | SCRO |
| 5783401 | Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit | Amendment | Guardian Elder Care, Inc. 8796 Route 219 Brockway, PA 15824-6010 | Laporte Borough Sullivan County | NCRO |
| NOEXSC374 | No Exposure Certification | New | Bulk Chemicals, Inc. 1074 Stinson Drive Reading, PA 19605-9440 | Muhlenberg Township Berks County | SCRO |
| NOEXSW128 | No Exposure Certification | Renewal | Darling Ingredients, Inc. 3173 Potato Garden Run Road Imperial, PA 15126-2124 | Findlay Township Allegheny County | SWRO |
| NOEXSW217 | No Exposure Certification | New | Wabtec US Rail, Inc. 1300 Clinton Road Clinton, PA 15026-1945 | Findlay Township Allegheny County | SWRO |
| PAR116125 | PAG-03 NPDES General Permit for Industrial Stormwater | Amendment | Alstom Grid, LLC 1 Power Lane Charleroi, PA 15022-1082 | Speers Borough Washington County | SWRO |
| PAR602246 | PAG-03 NPDES General Permit for Industrial Stormwater | Transfer | Alan Auto Parts 4162 Best Station Road Slatington, PA 18080 | Washington Township Lehigh County | NERO |
| PAR602247 | PAG-03 NPDES General Permit for Industrial Stormwater | Transfer | Alan U Pull It 4162 Best Station Road Slatington, PA 18080-3751 | Washington Township Lehigh County | NERO |
| PAG103585 | PAG-10 NPDES General Permit for Hydrostatic Test Water | New | Texas Eastern Trans, LP 890 Winter Street Waltham, MA 02451-1470 | Lack Township Juniata County | SCRO |
| PAG123894 | PAG-12 NPDES General Permit for CAFOs | Renewal | Zimmerman Lavon J 11653 William Penn Highway Thompsontown, PA 17094-8686 | Walker Township Juniata County | SCRO |

| <i>Application Number</i> | <i>Permit Type</i> | <i>Application Type</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|---|-------------------------|---|---|-------------------|
| 6799406 | Pump Stations Individual WQM Permit | Amendment | Northeastern York County Sewer Authority P.O. Box 516 Mount Wolf, PA 17347-0516 | East Manchester Township York County | SCRO |
| 2522403 | Single Residence Sewage Treatment Plant Individual WQM Permit | New | Katherine & Matthew Riley 10491 Route 98 Edinboro, PA 16412-9743 | Franklin Township Erie County | NWRO |
| 6222402 | Single Residence Sewage Treatment Plant Individual WQM Permit | New | Sorvelli Daniel 1185 Fox Hill Road Russell, PA 16345 | Pine Grove Township Warren County | NWRO |

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

PA0027057, Sewage, SIC Code 4952, **Williamsport Sanitary Authority**, 253 W 4th Street, Williamsport, PA 17701-6113. Facility Name: Central Plant. This existing facility is located in City of Williamsport, **Lycoming County**.

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

The receiving stream(s), West Branch Susquehanna River is located in State Water Plan watershed 10-C and 10-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 8.4 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | | <i>Concentrations (mg/L)</i> | | |
|---|-----------------------------|----------------------|--------------------------------|------------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i> | <i>Weekly Average</i> | <i>Instant. 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 Report Inst Min | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.22 | XXX | 0.72 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 1,750 | 2,800 | XXX | 25.0 | 40.0 | 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 | 2,100 | 3,150 | XXX | 30.0 | 45.0 | 60 |
| Total Dissolved Solids | Report | Wkly Avg Report | XXX | Report | Report Daily Max | XXX |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2000 Geo Mean | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |
| Nitrate-Nitrite as N | XXX | XXX | XXX | Report | XXX | XXX |
| Nitrate-Nitrite as N (Total Load, lbs) (lbs) | Report Total Mo | XXX | XXX | XXX | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen (Total Load, lbs) (lbs) | Report Total Mo | XXX | XXX | XXX | XXX | XXX |
| Ammonia-Nitrogen | Report | Report | XXX | Report | Report | XXX |
| Ammonia-Nitrogen (Total Load, lbs) (lbs) | Report Total Mo | Wkly Avg XXX | XXX | XXX | XXX | XXX |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>Instant. Maximum</i> |
|---|-----------------------------|----------------------|----------------|------------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Total Kjeldahl Nitrogen (Total Load, lbs) (lbs) | Report | XXX | XXX | XXX | XXX | XXX |
| Total Phosphorus (Total Load, lbs) (lbs) | XXX | XXX | XXX | Report | XXX | XXX |
| Copper, Total (ug/L) | Report | Report | XXX | Report | Report | XXX |
| Zinc, Total (ug/L) | Report | Report | XXX | Report | Daily Max Report | XXX |
| Butyl Benzyl Phthalate (ug/L) | XXX | Report | XXX | XXX | Daily Max Report | XXX |
| N-Nitrosodi-N-Propylamine (ug/L) | XXX | Report | XXX | XXX | Daily Max Report | XXX |

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

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Monthly</i> | <i>Concentrations (mg/L)</i> | | <i>Instant. Maximum</i> |
|---|-----------------------------|---------------|----------------|------------------------------|----------------|-------------------------|
| | <i>Monthly</i> | <i>Annual</i> | | <i>Monthly Average</i> | <i>Maximum</i> | |
| Total Nitrogen (Total Load, lbs) (lbs) | XXX | 153,423 | XXX | XXX | XXX | XXX |
| Effluent Net Total Nitrogen (Total Load, lbs) (lbs) | XXX | Annual Report | XXX | XXX | XXX | XXX |
| Ammonia-Nitrogen (Total Load, lbs) (lbs) | XXX | Annual Report | XXX | XXX | XXX | XXX |
| Total Phosphorus (Total Load, lbs) (lbs) | XXX | Annual Report | XXX | XXX | XXX | XXX |
| Total Phosphorus (Total Load, lbs) (lbs) Effluent Net | XXX | Annual Total | XXX | XXX | XXX | XXX |

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

PA0028461, Sewage, SIC Code 4952, **Mifflinburg Borough, Union County**, 120 N 3rd Street, Mifflinburg, PA 17844-1134. Facility Name: Mifflinburg Borough Municipal Authority Sewer System STP. This existing facility is located in Mifflinburg Borough, **Union 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), Buffalo Creek (CWF, MF), is located in State Water Plan watershed 10-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>Instant. Maximum</i> |
|---|-----------------------------|----------------------|----------------|------------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | 9.0 | XXX |
| Dissolved Oxygen | XXX | XXX | 4.0 | XXX | Max XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | | | | | | |
| Nov 1 - Apr 30 | 292 | 467 | XXX | 25 | 40 | 50 |
| May 1 - Oct 31 | 99 | 140 | XXX | 8.5 | 12 | 17 |

NOTICES

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>Instant. Maximum</i> |
|---|-----------------------------|----------------------|----------------|------------------------------|-----------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX |
| Total Suspended Solids | 350 | 525 | XXX | 30 | 45 | 60 |
| Total Suspended Solids Raw Sewage Influent | Report | Wkly Avg Report | XXX | Report | XXX | XXX |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2000 Geo Mean | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Nitrate-Nitrite as N | XXX | XXX | XXX | Report | XXX | XXX |
| Nitrate-Nitrite as N (Total Load, lbs) (lbs) | Report | XXX | XXX | XXX | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen (Total Load, lbs) (lbs) | Report | XXX | XXX | XXX | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | 91 | 128 | XXX | 7.8 | 11 | 15 |
| May 1 - Oct 31 | 30 | 45 | XXX | 2.6 | 3.9 | 5.2 |
| Ammonia-Nitrogen (Total Load, lbs) (lbs) | Report | Wkly Avg XXX | XXX | XXX | XXX | XXX |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Kjeldahl Nitrogen (Total Load, lbs) (lbs) | Report | XXX | XXX | XXX | XXX | XXX |
| Total Phosphorus | Report | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus (Total Load, lbs) (lbs) | Report | XXX | XXX | XXX | XXX | XXX |
| Copper, Total (ug/L) | XXX | Report | XXX | XXX | Report | XXX |
| Lead, Total (ug/L) | XXX | Report | XXX | XXX | Daily Max Report | XXX |
| Selenium, Total (ug/L) | XXX | Report | XXX | XXX | Daily Max Report | XXX |
| Zinc, Total (ug/L) | XXX | Report | XXX | XXX | Daily Max Report | XXX |
| Ultraviolet light dosage (mjoules/cm ²) | XXX | XXX | Report | XXX | XXX | XXX |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | Report | XXX |
| | | | | | Daily Max | |

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

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

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

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Monthly</i> | <i>Concentrations (mg/L)</i> | | <i>Instant. Maximum</i> |
|--|-----------------------------|---------------|----------------|------------------------------|----------------|-------------------------|
| | <i>Monthly</i> | <i>Annual</i> | | <i>Monthly Average</i> | <i>Maximum</i> | |
| Total Nitrogen (Total Load, lbs) (lbs) | XXX | 25,570 | XXX | XXX | XXX | XXX |
| Effluent Net | | Total | | | | |
| Total Nitrogen (Total Load, lbs) (lbs) | XXX | Report | XXX | XXX | XXX | XXX |
| Ammonia-Nitrogen (Total Load, lbs) (lbs) | XXX | Report | XXX | XXX | XXX | XXX |
| | | Total | | | | |
| | | Annual | | | | |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Monthly</i> | <i>Concentrations (mg/L)</i> | | <i>Instant. Maximum</i> |
|---|-----------------------------|---------------------------|----------------|------------------------------|----------------|-------------------------|
| | <i>Monthly</i> | <i>Annual</i> | | <i>Monthly Average</i> | <i>Maximum</i> | |
| Total Phosphorus (Total Load, lbs) (lbs) | XXX | Report Total Annual | XXX | XXX | XXX | XXX |
| Total Phosphorus (Total Load, lbs) (lbs) Effluent Net | XXX | 3,409 Total Annual | XXX | XXX | XXX | XXX |

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

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

- WET Testing
- Stormwater Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect

Northwest Regional Office

PA0000809, Industrial, SIC Code 4941, **Aqua PA, Inc.**, 665 S Dock Street, Sharon, PA 16146-1835. Facility Name: Aqua PA Shenango Valley WTP. This existing facility is located in Sharon City, **Mercer County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2.218 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------------------|-----------------------------|-----------------------|-----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 Inst Min | XXX | XXX | 9.0 |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.4 | XXX | 1.2 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | 60 | 75 |
| Aluminum, Total | 42.5 | 85 | XXX | 2.3 | 4.6 | 5.7 |
| Iron, Total | XXX | XXX | XXX | 2 | 4 | 5 |
| Manganese, Total | XXX | XXX | XXX | 1 | 2 | 2.5 |

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.

PA0205699, Industrial, SIC Code 4832, 4941, **Cowanshannock Township Municipal Authority**, P.O. Box 127, NuMine, PA 16244-0127. Facility Name: Yatesboro NuMine WTP. This existing facility is located in Cowanshannock Township, **Armstrong County**.

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

The receiving stream(s), Unnamed Tributary to Cowanshannock Creek, is located in State Water Plan watershed 17-E 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 0.0065 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------------------|-----------------------------|----------------------|------------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 Daily Min | XXX | 9.0 | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.41 | XXX | 1.0 |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------|-----------------------------|----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Aluminum, Total | XXX | XXX | XXX | 0.750 | XXX | 1.5 |
| Barium, Total | Report | Report | XXX | Report | Report | XXX |
| Cadmium, Total (ug/L) | 0.00006 | 0.00009 | XXX | 1.06 | 1.65 | 2.65 |
| Chromium, Hexavalent | Report | Report | XXX | Report | Report | XXX |
| Copper, Total | XXX | XXX | XXX | 0.006 | XXX | 0.012 |
| Iron, Total | XXX | XXX | XXX | 1.9 | XXX | 3.8 |
| Manganese, Total | XXX | XXX | XXX | 1.0 | XXX | 2.0 |

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.

PA0289485, Storm Water, SIC Code 3399, 3499, 3567, **GKN Sinter Metals, LLC**, 104 Fairview Road, Kersey, PA 15846-2710. Facility Name: GKN Sinter Metals Kersey Plant. This proposed facility is located in Fox Township, **Elk 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), Byrnes Run (EV, MF), is located in State Water Plan watershed 8-A and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 & 002 are based on a design flow of 0 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|---|-----------------------------|-----------------------|----------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Annual Average</i> | <i>Maximum</i> | |
| pH (S.U.) | XXX | XXX | XXX | Report | XXX | XXX |
| Biochemical Oxygen Demand (BOD ₅) | XXX | XXX | XXX | Report | XXX | XXX |
| Chemical Oxygen Demand (COD) | XXX | XXX | XXX | Report | XXX | XXX |
| Total Suspended Solids | XXX | XXX | XXX | Report | XXX | XXX |
| Oil and Grease | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |
| Aluminum, Total | XXX | XXX | XXX | Report | XXX | XXX |
| Iron, Total | XXX | XXX | XXX | Report | XXX | XXX |
| Manganese, Total | XXX | XXX | XXX | Report | XXX | XXX |

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

The EPA Waiver is in effect.

PA0027227, Sewage, SIC Code 4952, **City of Farrell**, 500 Roemer Boulevard, Farrell, PA 16121-1901. Facility Name: City of Farrell WWTP. This existing facility is located in Farrell City, **Mercer County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 3.57 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|---|-----------------------------|-----------------------|----------------|------------------------------|-----------------------|-------------|
| | <i>Average Monthly</i> | <i>Weekly Average</i> | | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Inst Min | XXX | XXX | XXX |
| | | | Report | | | |
| | | | Inst Min | | | |
| Interim | XXX | XXX | 4.0 | XXX | XXX | XXX |
| Final | | | | | | |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.5 | XXX | 1.6 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 744 | 1,191 | XXX | 25.0 | 40.0 | 50 |

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|---------|-----------------------|----------------|--------|
| | Average Monthly | Weekly Average | | Average Monthly | Weekly Average | |
| Biochemical Oxygen Demand (BOD ₅) | Report | XXX | XXX | Report | XXX | XXX |
| Raw Sewage Influent Total Suspended Solids | 893 | 1340 | XXX | 30.0 | 45.0 | 60 |
| Total Suspended Solids Raw Sewage Influent | Report | XXX | XXX | Report | XXX | XXX |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | Geo Mean 200 | XXX | 1,000 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | Geo Mean XXX | XXX | Report |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | 744 | XXX | XXX | 25.0 | XXX | 50 |
| May 1 - Oct 31 | 401 | XXX | XXX | 13.5 | XXX | 27 |
| Total Nitrogen | Report | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | Avg Qrtly Report | XXX | XXX | Avg Qrtly Report | XXX | XXX |

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

- Solids Management
- Compliance Schedule for Dissolved Oxygen (DO)
- Maximizing Treatment at the Existing POTW
- Combined Sewer Overflows
- Requirements Applicable to Stormwater Outfalls
- Whole Effluent Toxicity (WET)

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.

PA0033120, Sewage, SIC Code 8211, **Warren County School District**, 6820 Market Street, Russell, PA 16345. Facility Name: Eisenhower Jr Sr High School. This existing facility is located in Farmington Township, **Warren County**.

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

The receiving stream, the Fairbanks Run (CWF), is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.013 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|--------------|-----------------------|---------|--------|
| | Average Monthly | Weekly Average | | Average Monthly | Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | Daily Max XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Inst Min 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.25 | XXX | 0.82 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | 25.0 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30.0 | XXX | 60 |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | Geo Mean 200 | XXX | 1,000 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | Geo Mean XXX | XXX | Report |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 10.5 | XXX | 21 |
| May 1 - Oct 31 | XXX | XXX | XXX | 3.5 | XXX | 7 |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |

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

- Solids Management

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

The EPA Waiver is in effect.

PA0095729, Sewage, SIC Code 8661, **Eastern Orthodox Foundation**, 170 Fr Martin Telenson Road, Penn Run, PA 15765-7336. Facility Name: Eastern Orthodox Foundation. This existing facility is located in Cherryhill Township, **Indiana County**.

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

The receiving stream(s), Unnamed Tributary of Yellow 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 .018 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|------------------|-----------------------|---------|--------|
| | Average Monthly | Average Weekly | | Average Monthly | Maximum | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Daily Min 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.5 | XXX | 1.6 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| Total Suspended Solids | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| 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 | XXX | XXX | XXX | 1.5 | XXX | 3.0 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Annl Avg Report | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | Annl Avg Report | XXX | XXX |
| Aluminum, Total | XXX | XXX | XXX | Annl Avg Report | XXX | XXX |
| Iron, Total | XXX | XXX | XXX | Annl Avg Report | XXX | XXX |
| Manganese, Total | XXX | XXX | XXX | Annl Avg 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.

PA0264164, Sewage, SIC Code 8800, **Cobb Joshua**, 2365 W Washington Street, Bradford, PA 16701-2448. Facility Name: Joshua Cobb SRSTP. This existing facility is located in Corydon Township, **McKean 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), Willow Creek (HQ-CWF), is located in State Water Plan watershed 16-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.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|------------|----------------------|----------------|-----------|-----------------------|---------|------|
| | Average Monthly | Average Weekly | | Annual Average | Maximum | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | Annl Avg XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| | | | Daily Min | | | |

| <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> | |
| 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 | 1,000 |

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.

PA0290678, Sewage, SIC Code 4952, 8800, **Katherine & Matthew Riley**, 10491 Route 98, Edinboro, PA 16412-9743. Facility Name: Katherine & Matthew Riley SRSTP. This proposed facility is located in Franklin Township, **Erie County**.

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

The receiving stream is an Unnamed Tributary to Little Elk 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 0.0009 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 | 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.

Southcentral Regional Office

PA0267678, Storm Water, SIC Code 4011, **Norfolk Southern Railway Co.**, 650 W Peachtree Street NW, Atlanta, GA 30308-1925. Facility Name: Norfolk Southern Railway Co. Greencastle Intermodal. This proposed facility is located in Antrim Township, **Franklin County**.

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

The receiving stream(s), Unnamed Tributary to Conococheague Creek, is located in State Water Plan watershed 13-C and is classified for, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 (minimum measurement frequency = 1/6 months):

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

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

- Stormwater Outfalls and Authorized Non-Stormwater discharges
- General BMPs and Sector Specific BMPs
- Routine Inspections
- PPC Plan
- Stormwater Monitoring Requirements including Benchmark Values of 150 mg/L for TSS and 30 mg/L for Oil and Grease.

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.

PA0291498, Storm Water, SIC Code 4225, **Amazon.com Services, LLC**, P.O. Box 80842, Seattle, WA 98108-0842. Facility Name: Amazon.com Services LLC—DPL7. This proposed facility is located in Rapho Township, **Lancaster 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), Chiques Creek (WWF, MF) and Unnamed Tributary to Little Chiques Creek (TSF, MF), is located in State Water Plan watershed 7-G and is classified for Migratory Fishes, Warm Water 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 0 MGD.—Limits.

| 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), including applicable BMPs from Appendix L from the PAG-03
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmarks for TSS, Oil and Grease)
- Other Requirements

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.

PAS213504, Storm Water, SIC Code 1422, 2951, 3273, **New Enterprise Stone & Lime Co. Inc.**, P.O. Box 77, New Enterprise, PA 16664-0077. Facility Name: New Enterprise Stone & Lime Co. Inc.—Ashcom Plant. This existing facility is located in Snake Spring Township, **Bedford County**.

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

The receiving stream, Cove Creek (EV, MF), is located in State Water Plan watershed 11-C and is classified for Exceptional Value Waters 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 (minimum measurement frequency = 1/6 months):

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|------------------------------|----------------------|----------------|---------|-----------------------|---------------|------|
| | Average Monthly | Average Weekly | | Average Monthly | Daily Maximum | |
| Chemical Oxygen Demand (COD) | XXX | XXX | XXX | XXX | Report | XXX |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | XXX | Report | XXX |
| Total Phosphorus | XXX | XXX | XXX | XXX | Report | XXX |
| Aluminum, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Iron, Total | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfall 001 (minimum measurement frequency = 1/month):

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|------------------------|----------------------|----------------|----------|-----------------------|---------------|------|
| | Average Monthly | Average Weekly | | Average Monthly | Daily Maximum | |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | Inst Min | Report | Report | XXX |
| Oil and Grease | XXX | XXX | XXX | 15 | XXX | 30 |

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- General BMPs and Sector Specific BMPs
- Routine Inspections
- PPC Plan
- Stormwater Monitoring Requirements including a Benchmark Value of 100 mg/L for TSS

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.

PA0084522, Industrial, SIC Code 4222, **Allentown Refrigerated Terminal**, 125 Seneca Trail, Boyertown, PA 19512-8661. Facility Name: Allentown Refrigerated Terminal. This existing facility is located in Colebrookdale Township, **Berks County**.

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

The receiving stream(s), Ironstone Creek (CWF (existing use)), is located in State Water Plan watershed 3-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 .0069 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Instant. Minimum | Concentrations (mg/L) | | IMAX |
|--------------------------|----------------------|------------------|---------------------|-----------------------|------------------|-------|
| | Average Monthly | Daily Maximum | | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | 100.0 | XXX | 200.0 |
| Total Dissolved Solids | Report | Report | XXX | Report | Report | XXX |
| Oil and Grease | XXX | XXX | XXX | 15.0 | XXX | 30.0 |
| Ammonia-Nitrogen | 0.5 | 0.9 | XXX | 7.9 | 15.8 | 19.8 |
| Temperature (deg F) (°F) | | | | | | |
| Jan 1 - 31 | XXX | XXX | XXX | Report | 96.4 | XXX |
| Feb 1 - 28 | XXX | XXX | XXX | Report | 93.3 | XXX |
| Mar 1 - 31 | XXX | XXX | XXX | Report | 110.0 | XXX |
| Apr 1 - 30 | XXX | XXX | XXX | Report | 110.0 | XXX |
| May 1 - 31 | XXX | XXX | XXX | Report | 110.0 | XXX |
| Jun 1 - 30 | XXX | XXX | XXX | Report | 99.0 | XXX |
| Jul 1 - 31 | XXX | XXX | XXX | Report | 86.4 | XXX |
| Aug 1 - 31 | XXX | XXX | XXX | Report | 110.0 | XXX |
| Sep 1 - 30 | XXX | XXX | XXX | Report | 110.0 | XXX |
| Oct 1 - 31 | XXX | XXX | XXX | Report | 110.0 | XXX |
| Nov 1 - 30 | XXX | XXX | XXX | Report | 99.6 | XXX |
| Dec 1 - 31 | XXX | XXX | XXX | Report | 96.8 | XXX |

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

- Only DEP-approved chemical additives may be used.
- Usage rates of approved chemical additives must be acceptable and reported to DEP.
- Best Management Practices must be followed to reduce any contaminants in stormwater runoff.
- A Preparedness, Prevention and Contingency (PPC) Plan must be maintained and implemented.

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.

PA0265951, Industrial, SIC Code 4911, **Old Dominion Electric Cooperative**, 4201 Dominion Boulevard, Glen Allen, VA 6149. Facility Name: Wildcat Point Generation Facility. This existing facility is located in Fulton Township, **Lancaster County**.

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

The receiving stream, Susquehanna River (WWF, MF), is located in State Water Plan watershed 7-K and is classified for Warm Water Fishes 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 .857 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|--------------------------|----------------------|------------------|-----------------|-----------------------|------------------|------|
| | Total 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 |
| Free Available Chlorine | XXX | XXX | Inst Min XXX | XXX | 0.2 | 0.5 |
| Temperature (deg F) (°F) | XXX | XXX | XXX | Report | 110 | XXX |
| Total Suspended Solids | XXX | XXX | XXX | 30 | 60 | 75 |
| Total Dissolved Solids | XXX | XXX | XXX | Report | Report | XXX |
| Effluent Net | | | | | | |
| Oil and Grease | XXX | XXX | XXX | 15 | 20 | 30 |
| Aluminum, Total | XXX | XXX | XXX | XXX | Report | XXX |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------------------|-----------------------------|----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Total Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Chromium, Total | XXX | XXX | XXX | XXX | 0.2 | XXX |
| Sulfate, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Zinc, Total | XXX | XXX | XXX | XXX | 1.0 | XXX |
| Haloacetic Acids | XXX | XXX | XXX | XXX | Report | XXX |
| Monobromoacetic acid | XXX | XXX | XXX | XXX | Report | XXX |
| Monochloroacetic acid | XXX | XXX | XXX | XXX | Report | XXX |
| Dibromoacetic acid | XXX | XXX | XXX | XXX | Report | XXX |
| Dichloroacetic acid | XXX | XXX | XXX | XXX | Report | XXX |
| 1,2,4-Trichlorobenzene | XXX | XXX | XXX | XXX | Report | XXX |
| Hexachlorobutadiene | XXX | XXX | XXX | XXX | Report | XXX |
| Trichloroacetic acid | XXX | XXX | XXX | XXX | Report | XXX |
| Bromoform | XXX | XXX | XXX | XXX | Report | XXX |
| Chloride | XXX | XXX | XXX | XXX | Report | XXX |
| Bromide | XXX | XXX | XXX | XXX | Report | XXX |
| Dibromochloromethane | XXX | XXX | XXX | XXX | Report | XXX |
| Dichlorobromomethane | XXX | XXX | XXX | XXX | Report | XXX |
| Chloroform | XXX | XXX | XXX | XXX | Report | XXX |
| Trihalomethanes, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Total Nitrogen Effluent Net | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen Effluent Net | Report | XXX | XXX | XXX | XXX | XXX |
| Total Phosphorus Effluent Net | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus Effluent Net | Report | XXX | XXX | XXX | XXX | XXX |

The proposed effluent limits for Outfall 101 are based on a design flow of 0.025 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------|-----------------------------|----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| Total Suspended Solids | XXX | XXX | XXX | 30 | 100 | XXX |
| Oil and Grease | XXX | XXX | XXX | 15 | 20 | 30 |

The proposed effluent limits for Outfall 102 are based on a design flow of 0.296 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------|-----------------------------|----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| Total Suspended Solids | XXX | XXX | XXX | 30 | 100 | XXX |
| Oil and Grease | XXX | XXX | XXX | 15 | 20 | 30 |

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

The EPA Waiver is not in effect.

PA0082651, Sewage, SIC Code 4952, **Landisburg Municipal Authority, Perry County**, 202 E Main Street, Landisburg, PA 17040-0213. Facility Name: Landisburg STP. This existing facility is located in Tyrone Township, **Perry 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), Montour Creek (CWF), is located in State Water Plan watershed 7-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 .03 MGD.—Limits.

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

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|---------|-----------------------|----------------|--------|
| | Average Monthly | Weekly Average | | Average Monthly | Weekly Average | |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.5 | XXX | 1.6 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 6.3 | 10 | XXX | 25 | 40 | 50 |
| Biochemical Oxygen Demand (BOD ₅) | Report | Report | XXX | Report | XXX | XXX |
| Raw Sewage Influent | | Daily Max | | | | |
| Total Suspended Solids | 7.5 | 11 | XXX | 30 | 45 | 60 |
| Total Suspended Solids | Report | Report | XXX | Report | XXX | XXX |
| Raw Sewage Influent | | Daily Max | | | | |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| | | | | Geo Mean | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| | | | | Geo Mean | | |
| Ammonia-Nitrogen | 3.3 | XXX | XXX | 13.5 | XXX | 27 |

The proposed effluent limits for Outfall 001 are based on a design flow of .03 MGD.—Limits.

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

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.

PA0261190, Sewage, SIC Code 6514, **Tiger Properties**, 4 E High Street, Carlisle, PA 17013-3086. Facility Name: Tiger Properties. This existing facility is located in North Middleton Township, **Cumberland 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), Conodoguinet Creek (WWF, MF), is located in State Water Plan watershed 7-B 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 .0004 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|---------|-----------------------|---------|------|
| | Average Monthly | Weekly Average | | Average Monthly | Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| | | Daily Max | | | | |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | 9.0 | XXX |
| | | | Min Mo | | Avg Mo | |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | Report | XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| Total Suspended Solids | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| Fecal Coliform (No./100 ml) | | | | | | |
| May 1 - Sep 30 | XXX | XXX | XXX | 200.0 | XXX | XXX |
| | | | | Geo Mean | | |

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.

PA0261319, Sewage, SIC Code 8811, **Cindy M Sheets & Steve L Sheets**, 1669 Old Carlisle Road, Aspers, PA 17304-9472. Facility Name: Sheets Res STP. This existing facility is located in Butler Township, **Adams 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 Opossum Creek (TSF), is located in State Water Plan watershed 7-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|---------|-----------------------|---------|------|
| | Average Monthly | Average Weekly | | Annual Average | Maximum | |
| Flow (MGD) | Report Annl Avg | XXX | XXX | XXX | XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | 25.0 | XXX | 50.0 |
| Total Suspended Solids | XXX | XXX | XXX | 30.0 | XXX | 60.0 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |

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

The EPA Waiver is in effect.

PA0261378, Sewage, SIC Code 4952, **Sheetz, Inc.**, 5700 6th Avenue, Altoona, PA 16602-1111. Facility Name: Sheetz Clarks Ferry Store 461. This existing facility is located in Reed Township, **Dauphin 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, MF), is located in State Water Plan watershed 6-C 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 002 are based on a design flow of .0075 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Daily Minimum | Concentrations (mg/L) | | Instant. Maximum |
|---|----------------------|------------------|-----------------|-----------------------|---------|------------------|
| | Average Monthly | Average Weekly | | Average Monthly | Maximum | |
| 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 | XXX | XXX | XXX |
| CBOD ₅ | XXX | XXX | XXX | 25.0 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30.0 | XXX | 60 |
| Fecal Coliform (No./100 ml) | | | | | | |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| May 1 - Oct 31 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Ultraviolet light transmittance (%) | XXX | XXX | Report | XXX | XXX | XXX |
| Nitrate-Nitrite as N | XXX | XXX | XXX | Report | XXX | XXX |
| Nitrate-Nitrite as N (Total Load, lbs) | Report Total Mo | XXX | XXX | XXX | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen (Total Load, lbs) | Report Total Mo | XXX | XXX | XXX | XXX | XXX |
| Ammonia-Nitrogen | Report | XXX | XXX | Report | XXX | XXX |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Kjeldahl Nitrogen (Total Load, lbs) | Report Total Mo | XXX | XXX | XXX | XXX | XXX |
| Total Phosphorus | Report | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus (Total Load, lbs) | Report Total Mo | XXX | XXX | XXX | XXX | XXX |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania’s Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 002.—Limits.

| Parameters | Mass Units (lbs/day) | | Monthly | Concentrations (mg/L) | | Instant. Maximum |
|---|----------------------|-------------------------|---------|-----------------------|---------|------------------|
| | Monthly | Annual | | Monthly Average | Maximum | |
| Total Nitrogen (Total Load, lbs) (lbs) Effluent Net | XXX | 38 Total Annual Report | XXX | XXX | XXX | XXX |
| Total Nitrogen (Total Load, lbs) | XXX | Total Annual Report | XXX | XXX | XXX | XXX |
| Total Phosphorus (Total Load, lbs) Effluent Net | XXX | 3.8 Total Annual Report | XXX | XXX | XXX | XXX |
| Total Phosphorus (Total Load, lbs) | XXX | Total Annual Report | 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:

- Chesapeake Bay Reporting requirements
- Stormwater prohibition
- Approval Contingencies
- Collected screenings and other solids handling requirement
- Condition to abandon use and decommission for consistency with municipal sewage facilities official plan
- Chlorine minimization.

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.

PA0268686, Sewage, SIC Code 8811, **Scott E Neely**, 1316 Route 22, Hollidaysburg, PA 16648-8436. Facility Name: Scott Neely Residence. This proposed facility is located in Frankstown Township, **Blair County**.

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

The receiving stream(s), Canoe Creek (HQ-CWF, MF), is located in State Water Plan watershed 11-A 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 .0004 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|---------|-----------------------|---------|------|
| | Average Monthly | Average Weekly | | Annual Average | Maximum | |
| Flow (MGD) | Report Annl Avg | XXX | XXX | XXX | XXX | XXX |
| Biochemical Oxygen Demand (BOD 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 717-705-4732.

The EPA Waiver is in effect.

Southeast Regional Office

PA0245330, Storm Water, SIC Code 4222, **United States Cold Storage, LLC**, 4000 AM Drive, Quakertown, PA 18951-2197. Facility Name: United States Cold Storage Quakertown West Facility. This proposed facility is located in Milford Township, **Bucks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------|-----------------------------|-----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Semi-Annual Average</i> | <i>Daily Maximum</i> | |
| Total Suspended Solids | XXX | XXX | XXX | 100.0 | Report | XXX |
| Oil and Grease | XXX | XXX | XXX | 15.0 | Report | XXX |

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

- Stormwater Monitoring Requirements
- Annual Monitoring and Inspection Reports
- BMPs for Stormwater Management

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.

PAI130541, MS4, **South Coventry Township, Chester County**, 1371 New Philadelphia Road, Pottstown, PA 19465-8669.

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 South Coventry Township, **Chester County**. The receiving stream(s), Pigeon Creek (HQ-TSF, MF), Unnamed Tributary to French Creek (HQ-TSF, MF), and Unnamed Tributary to Pigeon Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-D and is classified for Exceptional Value Waters, Mi, Migratory Fish, and High Quality Waters—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:

- A Pollutant Reduction Plan (PRP)

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

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

PA0052949, Industrial, SIC Code 4941, **Aqua Pennsylvania, Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Milford Well Station WFP. This existing facility is located in Upper Uwchlan Township, **Chester County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.003 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|---|-----------------------------|----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Daily 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 | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.5 | XXX | 1.0 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | Report | XXX | XXX |
| Total Suspended Solids | 0.75 | 1.5 | XXX | 30 | 60 | 75 |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Ammonia-Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |
| Aluminum, Total | 0.08 | 0.16 | XXX | 3.3 | 6.6 | 8.3 |
| Iron, Total | 0.05 | 0.10 | XXX | 2.0 | 4.0 | 5 |
| Manganese, Total | 0.025 | 0.05 | XXX | 1.0 | 2.0 | 2.5 |
| Chlorodibromomethane | XXX | XXX | XXX | Report | XXX | XXX |
| Dichlorobromomethane | XXX | XXX | XXX | Report | XXX | XXX |
| Chloroform | XXX | XXX | XXX | Report | XXX | XXX |

The proposed effluent limits for Outfall 002 are based on a design flow of 0.144 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------------------|-----------------------------|-----------------------|----------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine (TRC) | XXX | XXX | Inst Min | 0.5 | XXX | 1.0 |

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

- Proper Sludge Disposal
- Chlorine Optimization
- Small Stream Discharge
- Chemical Additives
- Small Stream Discharge

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.

PA0055026, Industrial, SIC Code 3444, **The Wrightstown Group, LP**, 1337 Wrightstown Road, Wrightstown, PA 18940. Facility Name: Livingston-King Wrightstown Facility IWTP. This existing facility is located in Wrightstown Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Mill Creek (WWF, MF), is located in State Water Plan watershed 2-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 003 are based on a design flow of 0.058 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Average Monthly</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|---|-----------------------------|-----------------------|------------------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Daily Maximum</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | Daily Max XXX | 6.0 Inst Min | XXX | XXX | 9.0 |
| Tetrachloroethylene | XXX | XXX | 0.001 | 0.001 | XXX | XXX |
| Tetrachloroethylene Industrial Influent | XXX | XXX | Report | Report | XXX | XXX |
| Trichloroethylene | XXX | XXX | 0.005 | 0.01 | XXX | XXX |
| Trichloroethylene Industrial Influent | XXX | XXX | Report | Report | XXX | XXX |

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

- DEP may require permittee to adopt remedial measures that will produce satisfactory effluent
- No discharge of Air Stripper tower cleaning wastewater
- Groundwater monitoring 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.

PA0021172, Sewage, SIC Code 4952, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976-1209. Facility Name: Harvey Ave WWTP. This existing facility is located in Doylestown Borough, **Bucks 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), Cooks Run (WWF, MF), is located in State Water Plan watershed 2-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 design flow of 1.6 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> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | Daily Max XXX | 6.0 Inst Min | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 Inst Min | XXX | XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | | | | | | |
| Nov 1 - Apr 30 | 267 | 400 | XXX | 20 | 30 | 40 |
| May 1 - Oct 31 | 133 | 200 | XXX | 10 | 15 | 20 |
| Raw Sewage Influent | Report | Report | XXX | Report | Report | 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> | |
| Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent | Report | Report | XXX | Report | Report | XXX |
| Total Suspended Solids Raw Sewage Influent | Report | Report | XXX | Report | Report | XXX |
| Total Suspended Solids | 400 | 600 | XXX | 30 | 45 | 60 |
| Fecal Coliform (No./100 ml) Oct 1 - Apr 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000.0 |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000.0 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | Report | Report Daily Max | XXX |
| Ultraviolet light intensity (mW/cm ²) | XXX | XXX | Report | XXX | XXX | XXX |
| Nitrate-Nitrite as N Nov 1 - Jun 30 | Report | XXX | XXX | Report | XXX | XXX |
| Jul 1 - Oct 31 | 133 | XXX | XXX | 10 | XXX | 20 |
| Total Nitrogen | XXX | XXX | XXX | Report | Report Daily Max | XXX |
| Ammonia-Nitrogen Nov 1 - Apr 30 | 26.7 | XXX | XXX | 2.0 | XXX | 4 |
| May 1 - Oct 31 | 13.3 | XXX | XXX | 1.0 | XXX | 2 |
| Total Kjeldahl Nitrogen | Report | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus Nov 1 - Mar 31 | 13.3 | XXX | XXX | 1.00 | XXX | 2 |
| Apr 1 - Oct 31 | 6.7 | XXX | XXX | 0.5 | XXX | 1 |
| Aluminum, Total | 10.0 | XXX | XXX | 0.75 | XXX | 1.5 |
| Copper, Total | XXX | XXX | XXX | Report | XXX | XXX |
| Iron, Dissolved | XXX | XXX | XXX | Report | XXX | XXX |
| Iron, Total | XXX | XXX | XXX | Report | XXX | XXX |
| Hardness, Total (as CaCO ₃) | XXX | XXX | XXX | Report | XXX | XXX |
| Total Dissolved Solids | XXX | XXX | XXX | 1,000.0 Avg Qrtly | 2,000.0 Daily Max | 2,500 |
| Barium, Total | XXX | XXX | XXX | Report Avg Qrtly | Report Daily Max | XXX |
| Cobalt, Total | XXX | XXX | XXX | Report Avg Qrtly | Report Daily Max | XXX |
| Chloroform | XXX | XXX | XXX | Report Avg Qrtly | Report Daily Max | XXX |
| 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 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>Annual Average</i> | <i>Maximum</i> | |
| pH (S.U.) | XXX | XXX | XXX | Report | XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | Report | XXX | XXX |
| Chemical Oxygen Demand (COD) | XXX | XXX | XXX | Report | XXX | XXX |
| Total Suspended Solids | XXX | XXX | XXX | Report | XXX | XXX |
| Oil and Grease | XXX | XXX | XXX | Report | XXX | XXX |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | Report | XXX | XXX |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |
| Iron, Dissolved | XXX | XXX | XXX | Report | XXX | XXX |

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

- No Stormwater
- Property Rights
- Sludge Disposal
- TRC Minimization
- Responsible Operator
- O&M Plan
- DRBC Fecal Coliform
- Small Stream Discharge
- TQL Values
- POTW Pretreatment Program Implementation
- Site-Specific Criteria Study (SSCs)
- Wet
- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

Southwest Regional Office

PA0090301, Industrial, SIC Code 4953, **Solid Waste Disposal, Inc.**, 211 Brunner Road, Zelienople, PA 16063-3505. Facility Name: Solid Waste Disposal Inc. Landfill. This existing facility is located in Brighton Township, **Beaver County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0144 MGD.—Interim Limits.

| Parameters | Mass Units (lbs/day) | | | Concentrations (mg/L) | | IMAX |
|------------------------------|----------------------|---------------|------------------|-----------------------|---------------|--------|
| | Average Monthly | Daily Maximum | Instant. Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | 27.0 | 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 | 200 | XXX | 1,000 |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 4.9 | XXX | 10.0 |
| May 1 - Oct 31 | XXX | XXX | XXX | 3.0 | XXX | 6.0 |
| Cadmium, Total | XXX | XXX | XXX | 0.005 | XXX | 0.01 |
| Iron, Total | XXX | XXX | XXX | 4.0 | XXX | 7.0 |
| Manganese, Total | XXX | XXX | XXX | 1.0 | XXX | 2.0 |
| Thallium, Total (ug/L) | XXX | XXX | XXX | Report | XXX | Report |
| Phenol | XXX | XXX | XXX | 0.015 | XXX | 0.026 |
| Acrylamide (ug/L) | XXX | XXX | XXX | Report | XXX | Report |
| Benzo(a)Anthracene (ug/L) | XXX | XXX | XXX | Report | XXX | Report |
| Benzo(a)Pyrene (ug/L) | XXX | XXX | XXX | Report | XXX | Report |
| Benzo(k)Fluoranthene (ug/L) | XXX | XXX | XXX | Report | XXX | Report |
| 3,4-Benzofluoranthene (ug/L) | XXX | XXX | XXX | Report | XXX | Report |
| PCBs, Total (ug/L) | XXX | XXX | XXX | Report | XXX | Report |
| Toxaphene (ug/L) | XXX | XXX | XXX | Report | XXX | Report |

The proposed effluent limits for Outfall 001 are based on a design flow of .0144 MGD.—Final Limits.

| Parameters | Mass Units (lbs/day) | | | Concentrations (mg/L) | | IMAX |
|-----------------------------|----------------------|---------------|------------------|-----------------------|---------------|--------|
| | Average Monthly | Daily Maximum | Instant. Minimum | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | XXX | XXX | XXX | 27.0 | 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 | 200 | XXX | 1,000 |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 4.9 | XXX | 10.0 |
| May 1 - Oct 31 | XXX | XXX | XXX | 3.0 | XXX | 6.0 |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------------|-----------------------------|----------------------|-------------------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Instant. Minimum</i> | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Cadmium, Total (ug/L) | XXX | XXX | XXX | 0.43 | XXX | 1.1 |
| Iron, Total | XXX | XXX | XXX | 4.0 | XXX | 7.0 |
| Manganese, Total | XXX | XXX | XXX | 1.0 | XXX | 2.0 |
| Thallium, Total (ug/L) | XXX | XXX | XXX | 0.38 | XXX | 0.95 |
| Phenol | XXX | XXX | XXX | 0.015 | XXX | 0.026 |
| Acrylamide (ug/L) | XXX | XXX | XXX | 0.59 | XXX | 1.49 |
| Benzo(a)Anthracene (ug/L) | XXX | XXX | XXX | 0.008 | XXX | 0.021 |
| Benzo(a)Pyrene (ug/L) | XXX | XXX | XXX | 0.0038 | XXX | 0.0038 |
| Benzo(k)Fluoranthene (ug/L) | XXX | XXX | XXX | 0.085 | XXX | 0.21 |
| 3,4-Benzofluoranthene (ug/L) | XXX | XXX | XXX | 0.008 | XXX | 0.021 |
| PCBs, Total (ug/L) | XXX | XXX | XXX | 0.0005 | XXX | 0.001 |
| Toxaphene (ug/L) | XXX | XXX | XXX | 0.0003 | XXX | 0.0008 |

The proposed effluent limits for Outfall 001 are based on a design flow of .0144 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|---|-----------------------------|----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Quarterly</i> | <i>Daily Maximum</i> | |
| Biochemical Oxygen Demand (BOD ₅) | XXX | XXX | XXX | 25.0 | XXX | 50.0 |
| Arsenic, Total | XXX | XXX | XXX | XXX | XXX | Report |
| Barium, Total | XXX | XXX | XXX | XXX | XXX | Report |
| Boron, Total | XXX | XXX | XXX | XXX | XXX | Report |
| Chromium, Hexavalent | XXX | XXX | XXX | XXX | XXX | Report |
| Iron, Dissolved | XXX | XXX | XXX | XXX | XXX | Report |
| Lead, Total | XXX | XXX | XXX | XXX | XXX | Report |
| Zinc, Total | XXX | XXX | XXX | 0.11 | XXX | 0.20 |
| a-Terpineol | XXX | XXX | XXX | 0.016 | XXX | 0.033 |
| Benzoic Acid | XXX | XXX | XXX | 0.071 | XXX | 0.12 |
| Bis(2-Ethylhexyl) Phthalate (ug/L) | XXX | XXX | XXX | XXX | XXX | Report |
| p-Cresol | XXX | XXX | XXX | 0.014 | XXX | 0.025 |

The proposed effluent limits for Outfall 001 are based on a design flow of .0144 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------|-----------------------------|----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Semi-Annually</i> | <i>Daily Maximum</i> | |
| Nickel, Total | XXX | XXX | XXX | 0.35 | XXX | 0.70 |
| Phenolics, Total | XXX | XXX | XXX | 0.75 | XXX | 1.5 |

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

- The permittee may collect and analyze three samples of the following pollutants using a reporting limit as sensitive as the Department's Quantitation Limit (QL) for consideration of removal of the effluent limitation and/or monitoring: hexavalent chromium, acrylamide, total PCBs and toxaphene.
- A Toxics Reduction Evaluation (TRE) will be required for the following proposed WQBELs: total cadmium, total thallium, acrylamide, total PCBs, toxaphene, benzo(a)anthracene, benzo(a)pyrene, 3,4-benzofluoranthene, and benzo(k)fluoranthene. The final WQBELs will become effective three (3) years after permit issuance.

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.

PA0217093, Industrial, SIC Code 3315, **Johnstown Wire Technologies, Inc.**, 124 Laurel Avenue, Johnstown, PA 15906-2246. Facility Name: Johnstown Wire Techs Johnstown Plant. This existing facility is located in Johnstown City, **Cambria County**.

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

The receiving stream, Conemaugh River (WWF), is located in State Water Plan watershed 18-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 601.—Limits.

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

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------|-----------------------------|-----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Aluminum, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Copper, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Iron, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Lead, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Manganese, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Zinc, Total | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfall 602.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------|-----------------------------|-----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Total Suspended Solids | XXX | XXX | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | XXX | XXX | XXX | XXX | Report | XXX |
| Aluminum, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Copper, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Iron, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Lead, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Manganese, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Zinc, Total | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfall 603 are based on a design flow of 1.46 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. 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> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Temperature (deg F) (°F) | XXX | XXX | XXX | XXX | XXX | 110.0 |
| Oil and Grease | XXX | XXX | XXX | 15.0 | 30.0 | XXX |
| Aluminum, Total | XXX | XXX | XXX | 0.75 | 0.75 | XXX |
| Iron, Total | XXX | XXX | XXX | 1.5 | 3.0 | XXX |
| Lead, Total | XXX | XXX | XXX | Report | Report | XXX |
| Manganese, Total | XXX | XXX | XXX | 1.0 | 2.0 | XXX |
| Zinc, Total | XXX | XXX | XXX | 0.95 | 1.9 | XXX |
| Acrylamide (ug/L) | XXX | XXX | XXX | 9.07 | 14.2 | XXX |
| Total Suspended Solids | XXX | XXX | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | XXX | XXX | XXX | XXX | Report | XXX |
| Copper, Total | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfall 613 are based on a design flow of 1.08 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. 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> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | 203 | 412 | XXX | 31.0 | 60.0 | 75 |
| Oil and Grease | 137 | 279 | XXX | 26.0 | 52.0 | XXX |
| Cadmium, Total | XXX | XXX | XXX | 0.021 | 0.042 | 0.053 |
| Chromium, Total | XXX | XXX | XXX | 1.71 | 2.77 | 3.46 |
| Copper, Total | XXX | XXX | XXX | 0.13 | 0.26 | 0.33 |
| Cyanide, Total | XXX | XXX | XXX | 0.65 | 1.2 | 1.5 |
| Iron, Total | XXX | XXX | XXX | 3.5 | 7.0 | 8.75 |
| Lead, Total | 2.35 | 4.74 | XXX | 0.34 | 0.68 | 0.85 |
| Nickel, Total | XXX | XXX | XXX | 2.38 | 3.98 | 4.98 |
| Silver, Total | XXX | XXX | XXX | 0.062 | 0.12 | 0.16 |
| Zinc, Total | 7.70 | 13.9 | XXX | 1.05 | 2.10 | 2.63 |
| Total Toxic Organics | XXX | XXX | XXX | XXX | 2.13 | XXX |

The proposed effluent limits for Outfall 623 are based on a design flow of 0.005 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. 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> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | 203 | 412 | XXX | 31.0 | 60.0 | XXX |
| Oil and Grease | 137 | 279 | XXX | 26.0 | 52.0 | XXX |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. 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> | |
| Cadmium, Total | XXX | XXX | XXX | 0.021 | 0.042 | XXX |
| Chromium, Total | XXX | XXX | XXX | 1.71 | 2.77 | XXX |
| Copper, Total | XXX | XXX | XXX | 0.13 | 0.26 | XXX |
| Cyanide, Total | XXX | XXX | XXX | 0.65 | 1.2 | XXX |
| Iron, Total | XXX | XXX | XXX | 3.5 | 7.0 | XXX |
| Lead, Total | 2.35 | 4.74 | XXX | 0.34 | 0.68 | XXX |
| Nickel, Total | XXX | XXX | XXX | 2.38 | 3.98 | XXX |
| Silver, Total | XXX | XXX | XXX | 0.062 | 0.12 | XXX |
| Zinc, Total | 7.70 | 13.9 | XXX | 1.05 | 2.10 | XXX |
| Total Toxic Organics | XXX | XXX | XXX | XXX | 2.13 | XXX |

The proposed effluent limits for Outfall 604.—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> | |
| Aluminum, Total | XXX | XXX | XXX | 0.75 | 0.75 | XXX |
| Iron, Total | XXX | XXX | XXX | 1.5 | 3.0 | XXX |
| Manganese, Total | XXX | XXX | XXX | 1.0 | 2.0 | XXX |
| Total Suspended Solids | XXX | XXX | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | XXX | XXX | XXX | XXX | Report | XXX |
| Copper, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Lead, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Zinc, Total | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfall 614 are based on a design flow of 0.03 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------|-----------------------------|----------------------|-------------------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Daily Maximum</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Temperature (°F) | XXX | XXX | XXX | XXX | XXX | 110 |

The proposed effluent limits for Outfall 605.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------|-----------------------------|-----------------------|----------------|------------------------------|----------------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Daily Maximum</i> | |
| Total Suspended Solids | XXX | XXX | XXX | XXX | Report | XXX |
| Nitrate-Nitrite as N | XXX | XXX | XXX | XXX | Report | XXX |
| Copper, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Lead, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Zinc, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Aluminum, Total | XXX | XXX | XXX | 0.75 | 0.75 | XXX |
| Iron, Total | XXX | XXX | XXX | 1.5 | 3.0 | XXX |
| Manganese, Total | XXX | XXX | XXX | 1.0 | 2.0 | XXX |

The proposed effluent limits for Outfall 615.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. 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> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids | 203 | 412 | XXX | 31.0 | 60.0 | XXX |
| Oil and Grease | 137 | 279 | XXX | 26.0 | 52.0 | XXX |
| Cadmium, Total | XXX | XXX | XXX | 0.021 | 0.042 | XXX |
| Chromium, Total | XXX | XXX | XXX | 1.71 | 2.77 | XXX |
| Copper, Total | XXX | XXX | XXX | 0.13 | 0.26 | XXX |
| Cyanide, Total | XXX | XXX | XXX | 0.65 | 1.2 | XXX |
| Iron, Total | XXX | XXX | XXX | 3.5 | 7.0 | XXX |
| Lead, Total | 2.35 | 4.74 | XXX | 0.34 | 0.68 | XXX |
| Nickel, Total | XXX | XXX | XXX | 2.38 | 3.98 | XXX |
| Silver, Total | XXX | XXX | XXX | 0.062 | 0.12 | XXX |
| Zinc, Total | 7.70 | 13.9 | XXX | 1.05 | 2.10 | XXX |
| Total Toxic Organics | XXX | XXX | XXX | XXX | 2.13 | XXX |

The proposed effluent limits for Outfall 625 are based on a design flow of 0.03 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Instant. Minimum | Concentrations (mg/L) | | IMAX |
|--------------------------|----------------------|---------------|------------------|-----------------------|---------|------|
| | Average Monthly | Daily Maximum | | Average Monthly | Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Temperature (deg F) (°F) | XXX | XXX | XXX | XXX | XXX | 110 |

The proposed effluent limits for Outfall 606.—Limits.

| 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 |
| Nitrate-Nitrite as N | XXX | XXX | XXX | XXX | Report | XXX |
| Aluminum, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Copper, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Iron, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Lead, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Manganese, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Zinc, Total | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfall 607.—Limits.

| 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 |
| Nitrate-Nitrite as N | XXX | XXX | XXX | XXX | Report | XXX |
| Copper, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Lead, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Zinc, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Aluminum, Total | XXX | XXX | XXX | 0.75 | 0.75 | XXX |
| Iron, Total | XXX | XXX | XXX | 1.5 | 3.0 | XXX |
| Manganese, Total | XXX | XXX | XXX | 1.0 | 2.0 | XXX |

The proposed effluent limits for Outfall 617 are based on a design flow of 0.005 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|--------------------------|----------------------|---------------|---------|-----------------------|---------|------|
| | Average Monthly | Daily Maximum | | Average Monthly | Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Temperature (deg F) (°F) | XXX | XXX | XXX | XXX | XXX | 110 |

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

The EPA Waiver is not in effect.

PA0096318, Sewage, SIC Code 4952, **Robinson Township Municipal Authority, Allegheny County**, 4200 Campbells Run Road, Pittsburgh, PA 15205-1306. Facility Name: Covi Douglas STP. This existing facility is located at Forest Grove Road, Robinson Township, PA 15136, located in Robinson Township, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary to Moon Run (WWF), is located in State Water Plan watershed 20-G 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 .1538 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|-----------|-----------------------|----------------|------|
| | Average Monthly | Weekly Average | | Average Monthly | Weekly Average | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Daily Min | XXX | XXX | XXX |
| | | | Daily Max | XXX | XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 35.0 | 52.5 | XXX | 20.0 | 30.0 | 40 |

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|------------------|---------|-----------------------|----------------|--------|
| | Average Monthly | Weekly Average | | Average Monthly | Weekly Average | |
| Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Total Suspended Solids Fecal Coliform (No./100 ml) | 52.6 | 78.9 | XXX | 30.0 | 45.0 | 60 |
| 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 |
| Ultraviolet light transmittance (%) | XXX | XXX | XXX | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | 7.9 | 11.9 | XXX | 4.5 | 6.8 | 9 |
| May 1 - Oct 31 | 3.7 | 5.6 | XXX | 2.1 | 3.2 | 4.2 |
| Total Nitrogen | XXX | XXX | XXX | Report Daily Max | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | Report Daily Max | XXX | XXX |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |

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.

Northeast Regional Office

PA0070483, Industrial, SIC Code 4953, **Grand Central Sanitary Landfill, Inc.**, 910 Pennsylvania Avenue, Pen Argyl, PA 18072-9709. Facility Name: Grand Central Sanitary Landfill. This existing facility is located in Plainfield Township, **Northampton County**.

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

The receiving streams, an Unnamed Tributary to Little Bushkill Creek (HQ-CWF/MF) and Waltz Creek (CWF/MF), are located in State Water Plan watershed 1-F and are classified for High Quality—Cold Water Fishes, 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 0.1 MGD.

| Parameters | Mass Units (lbs/day) | | Instant. Minimum | Concentrations (mg/L) | | IMAX |
|--|----------------------|---------------|------------------|-----------------------|---------------|-------|
| | Average Monthly | Daily Maximum | | Average Monthly | Daily Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| True Color (Pt-Co Units) | XXX | XXX | XXX | 100 | XXX | XXX |
| Influent Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | Report | XXX | XXX | Report | XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 20 | XXX | XXX | 25.0 | XXX | 75.0 |
| CBOD ₅ Minimum % Removal (%) | XXX | XXX | XXX | 85 | XXX | XXX |
| Total Suspended Solids | Report | Report | XXX | 27.0 | 88.0 | XXX |
| Total Dissolved Solids | XXX | XXX | XXX | XXX | 1,000 | XXX |
| Oil and Grease | XXX | XXX | XXX | 15.0 | XXX | 30.0 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Nitrate-Nitrite as N | | | | | | |
| May 1 - Sep 30 | Report | Report | XXX | Report | Report | XXX |
| Total Nitrogen | | | | | | |
| May 1 - Sep 30 | Report | Report | XXX | Report | Report | XXX |
| Ammonia-Nitrogen | 2.5 | XXX | XXX | 3.0 | XXX | 6.0 |
| Total Kjeldahl Nitrogen | | | | | | |
| May 1 - Sep 30 | Report | Report | XXX | Report | Report | XXX |
| Total Phosphorus | | | | | | |
| May 1 - Sep 30 | Report | Report | XXX | Report | Report | XXX |
| Boron, Total | 4.5 | 7.1 | XXX | 5.5 | 8.5 | XXX |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------|-----------------------------|----------------|-----------------------------|------------------------------|----------------|-------------|
| | <i>Average</i> | <i>Daily</i> | | <i>Average</i> | <i>Daily</i> | |
| | <i>Monthly</i> | <i>Maximum</i> | | <i>Monthly</i> | <i>Maximum</i> | |
| Zinc, Total | Report | Report | XXX | 0.11 | 0.20 | XXX |
| Phenol | Report | Report | XXX | 0.015 | 0.026 | XXX |
| a-Terpineol | Report | Report | XXX | 0.016 | 0.033 | XXX |
| Benzoic Acid | Report | Report | XXX | 0.071 | 0.12 | XXX |
| p-Cresol | Report | Report | XXX | 0.014 | 0.025 | XXX |

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (stormwater).

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------------|-----------------------------|----------------|-----------------------------|------------------------------|----------------|-------------|
| | <i>Average</i> | <i>Average</i> | | <i>Average</i> | <i>Daily</i> | |
| | <i>Monthly</i> | <i>Weekly</i> | | <i>Monthly</i> | <i>Maximum</i> | |
| pH (S.U.) | XXX | XXX | Report | 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 |
| Ammonia-Nitrogen | XXX | XXX | XXX | XXX | Report | XXX |
| Arsenic, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Cadmium, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Copper, Dissolved | XXX | XXX | XXX | XXX | Report | XXX |
| Cyanide, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Lead, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Mercury, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Selenium, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Silver, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Zinc, Dissolved | XXX | XXX | XXX | XXX | Report | XXX |

The proposed effluent limits for Outfalls 004, 005, 007—009 and 011 are based on a design flow of 0 MGD (stormwater).

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|------------------------------|-----------------------------|----------------|-----------------------------|------------------------------|----------------|-------------|
| | <i>Average</i> | <i>Average</i> | | <i>Average</i> | <i>Daily</i> | |
| | <i>Monthly</i> | <i>Weekly</i> | | <i>Monthly</i> | <i>Maximum</i> | |
| pH (S.U.) | XXX | XXX | Report | 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 |
| Ammonia-Nitrogen | XXX | XXX | XXX | XXX | Report | XXX |
| Arsenic, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Cadmium, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Cyanide, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Lead, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Mercury, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Selenium, Total | XXX | XXX | XXX | XXX | Report | XXX |
| Silver, Total | XXX | XXX | XXX | XXX | Report | XXX |

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

- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

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

| <i>Application Number</i> | <i>Application Type</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|---------------------------|-------------------------|--|---------------------------------------|---------------|
| PAD150246 | New | The Hankin Group 707 Eagleview Blvd Exton, PA 19341 | Uwchlan Township Chester County | SERO |
| PAD480163 | New | Frank Oieni Oieni Construction Co., Inc. 601 Stones Crossing Road Easton, PA 18045-5021 | Palmer Township Northampton County | NERO |

| <i>Application Number</i> | <i>Application Type</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|---------------------------|-------------------------|--|---|---------------|
| PAD390216 | New | Serfass Development & Acquisitions 1, LLC 3784 Mauch Chunk Road Allentown, PA 18104 | City of Allentown Lehigh County | NERO |
| PAD520037 | New | Aikolai USA One, LLC 105 Kahr Avenue Greeley, PA 18428 | Blooming Grove Township Pike County | NERO |
| PAD480027 A-6 | Major Amendment | Lafayette College Facilities Planning & Construction 901 Bushkill Drive Easton, PA 18042 | City of Easton Northampton County | NERO |
| PAD670062 | New | Two Farms, Inc. 3611 Roland Avenue Baltimore, MD 21211 | Shrewsbury Township York County | SCRO |
| PAD210040 A-1 | Renewal | Forgedale Crossing, LLC 529 East Main Street Lititz, PA 17543 | South Middleton Township Cumberland County | SCRO |

**STATE CONSERVATION COMMISSION
PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS
FOR NPDES PERMITS FOR CAFOs**

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

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

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> |
|--|---------------|--------------------|--------------------------------|--------------------|---|----------------------|
| LGH Farms, LLC 2129 Mountain Road Catawissa, PA 17820 | Columbia | 92.7 | 421.74 | Layer Breeders | Mugser Run—HQ-CWF | Renewal |
| Royal Egg Farms 9291/9251 Old Route 22 Bethel, PA 19507 | Berks | 16.4 | 269.62 | Layers | N/A | New |
| Buckwalter Farms, LLC 350 Rock Point Road Marietta, PA 17547 | Lancaster | 336.2 | 861.23 | Swine/Beef | NA | Renewal |
| Art Groff 1043 Mountain Road Manheim, PA 17545 | Lancaster | 55.2 | 389.9 | Broiler/Beef | NA | New |

PUBLIC WATER SUPPLY PERMITS

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

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. 5422501, Public Water Supply.

| | |
|---------------------------|---|
| Applicant | Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055 |
| Municipality | Frackville Borough |
| County | Schuylkill |
| Type of Facility | Public Water Supply |
| Consulting Engineer | Michael Mehaffey, P.E. Gannett Fleming, Inc. 207 Senate Avenue Camp Hill, PA 17011 |
| Application Received Date | January 12, 2022 |

| | |
|----------------------------|--|
| Description of Application | The applicant is proposing installation of iron and manganese treatment, a new sodium hypochlorite disinfection system and construction of granular activated carbon (GAC) contactors for per- and polyfluoroalkyl substances (PFAS) removal. This work is associated with proposed upgrades to the Center Street water treatment plant. |
|----------------------------|--|

Northwest Region: Safe Drinking Water Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 4222501, Public Water Supply.

| | |
|---------------------------|--|
| Applicant | Hazel Hurst Water Company |
| Township or Borough | Hamlin Township |
| County | McKean |
| Responsible Official | Bradley Himes P.O. Box 197 Hazel Hurst, PA 16733 |
| Type of Facility | Hazel Hurst WTP |
| Consulting Engineer | Gregg DelPrincipe, P.E. New Castle Engineers 650 Shenango Stop Road New Castle, PA 16101 |
| Application Received Date | January 31, 2022 |
| Description of Action | A new groundwater source known as Well # 6, a new water treatment plant with sodium hypochlorite disinfection, 4-log treatment contact segment, cleaning of the existing water tower, and abandonment of existing unused water wells. Backup Generator and automatic transfer switch installation along with a new control system with operator notification is also included. |

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:

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

Contact: Eric Supey, Environmental Program Manager.

S. Warriner Pad 1, 823 Fernheim Road, Montrose, PA 18801, Bridgewater Township, **Susquehanna County**. Folsom Engineering, 117 Roger Hollow Road, Mehoopany, PA 18623, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Notice of Intent to Remediate. On August 13, 2021 a release of produced fluid (brine) that impacted soil was discovered. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Susquehanna County Transcript* on January 19, 2022.

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.

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

Contact: David Balog, New Source Review Chief, (814) 332-6940.

42-00252A: PLC Wood Pellets, 4894 Route 155, Port Allegany, PA 16743. Notice is hereby given pursuant to 25 Pa. Code §§ 127.44—127.46 and 127.424 that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval 42-00252A to PLC Wood Pellets for the installation of a rotary biomass drying system and hardwood pellet manufacturing operation at their facility in Liberty Township, **McKean County**

The proposed equipment includes: two (2) screens, two (2) hammer mills, one (1) natural gas-fired rotary biomass drying system with a maximum rated capacity of 10 ODT and equipped with one (1) 20 MMbtu/hr air heater, three (3) pellet mills, one (1) pellet cooler, pneumatic and conveyance material handling systems, a sawdust storage bin, a pellet silo, packing equipment, and various associated air pollution control devices.

Based on the information provided by the applicant and DEP's own analysis, the proposed operation will emit a maximum of 28.3 tpy of carbon monoxide, 14.2 tpy of nitrogen oxides (NO_x), 17.6 tpy of volatile organic compounds (VOC), 0.2 tpy of sulfur oxides (SO_x), 3.3 tpy of formaldehyde (HCHO), 32 tpy of particulate matter (PM), and 9 tpy of particulate matter less than 10 micron (PM₁₀). Some proposed equipment emissions were determined to be sources of minor significance with regard to plan approval requirements.

The Plan Approval will contain additional testing, monitoring, recordkeeping, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the following address. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the following address. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval No. 42-00252A and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or

requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

23-00038: Delaware County Regional Water Quality Control Authority (Delcora), 100 E. 5th Street, Chester, PA 19016, in the City of Chester, **Delaware County**. Delcora submitted a significant operating permit modification for the renewal of the NO_x Plantwide Applicability Limit (PAL). The Pennsylvania Department of Environmental Protection intends to issue the renewal NO_x PAL for the facility. The NO_x emitting sources at the facility are two sewage sludge incinerators and four miscellaneous boilers. There were no new or permanently shutdown NO_x emitting sources during the effective period of the initial NO_x PAL.

In accordance with the requirements of 25 Pa. Code § 127.218, a NO_x PAL level of 82.56 tons per 12-month rolling basis has been established for the facility. There is no change in the NO_x PAL level initially established in August 2011. The NO_x PAL level has an effective period of 10 years upon final approval. The operating permit contains monitoring, testing and recordkeeping 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. There is a 30-day comment period beginning with the publication date of this notice. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

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.

23-00063: PA Department of Corrections/SCI-Chester, 500 East 4th St., Chester, PA 19013-4551, for a non-Title V, State Only, Synthetic Minor Operating Permit in the City of Chester, **Delaware County**.

Correction: This was published in the *Pennsylvania Bulletin* dated February 5, 2022. This is being re-posted to correct to the previous published Permit Number. The correct permit number is 23-00063, previously listed. There are no other changes.

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.

46-00128: Verizon Pennsylvania, Inc., 100 Greenwood Avenue, Jenkintown, PA 19046, located in Jenkintown Borough, **Montgomery County**, for a renewal of State Only Operating Permit (SOOP) No. 46-00128 for its Jenkintown Central Office facility. The facility provides telephone dial tone to the surrounding areas, and operates and maintains a 1,600-ekW emergency generator set (equipped with a 2,307-bhp diesel fuel-fired, stationary, reciprocating internal combustion engine) to supply power to the facility in emergency situations when electric power from the local utility provider is interrupted. The facility has previously been classified as Synthetic Minor based on the potentials to emit nitrogen oxides (NO_x) and volatile organic compounds (VOCs) for the engine of the emergency generator set exceeding the major facility thresholds of 25 tons/yr each (at 8,760 operating hours per year).

Verizon has requested to be reclassified as a natural minor facility based on guidance from the United States Environmental Protection Agency (EPA) in its memorandum Calculating Potential to Emit (PTE) for Emergency Generators, dated September 6, 1995.

Based on this operating hour restriction, which the current SOOP already includes, the PTEs NO_x and VOCs for the engine of the emergency generator set are 13.84 tons/yr and 0.40 ton/yr, respectively. Since the emergency generator set remains the only air emissions source at the facility (i.e., no physical changes have occurred at the facility since DEP last renewed the SOOP in August 2016), DEP concurs with Verizon Pennsylvania, Inc.'s request and has reclassified the facility as Natural Minor (the SOOP renewal will reflect this change in facility status).

Based on its date of manufacture, the engine of the emergency generator set is potentially subject to the provisions of 40 CFR Part 63, Subpart ZZZZ, for stationary reciprocating internal combustion engines. However, based on meeting the criteria for commercial emergency engines in 40 CFR 63.6585(f)(2), the engine is not subject to these provisions.

The SOOP renewal will contain 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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.

39-00042: Chelsea Sandwich, LLC, P.O. Box 459, Macungie, PA 18062. The Department intends to issue a renewal State-Only Operating Permit for operation of sources at their facility located in Lower Macungie Township, **Lehigh County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

65-00912: The AMES Co., Inc./Champion Facility, 465 Railroad Ave., Camp Hill, PA 17011-5611. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a renewal State-Only Operating Permit (Natural Minor) for a sawmill operations facility, located in Donegal Township, **Washington County**.

The AMES Co. operates a 12.87 MMBtu/HR wood-fired boiler, an oil-fired boiler, a dimension mill, and wood surface coating operations. The control devices are dust collectors and a multi-clone collector. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements. The boilers are subject to the NESHAPs in 40 CFR 63 Subpart JJJJJ.

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. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (65-00912) 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.

63-00643: Ametek, Inc., North Strabane Plant, 1085 Route 519, Eighty-Four, PA 15330-2813. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a renewal State-Only Operating Permit (Natural Minor) to Ametek, Inc. to authorize the operation of their metal powder manufacturing facility in North Strabane Township, **Washington County**.

The facility is comprised of rotary dryer units, water atomization processes, an aluminum grinder, and an emergency generator. The control devices are dust collectors and cyclones. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards 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 Permit 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 (63-00643) 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.

67-05092: Starbucks Coffee Company, 3000 Espresso Way, York, PA 17406 for the operation of a coffee roasting facility in East Manchester Township, **York County**. This is for renewal of the existing State-Only Permit. Actual 2020 air emissions from the facility are estimated at 21.90 tons PM₁₀, 46.76 tons NO_x, 27.67 tons CO, 30.39 tons VOC, 1.84 tons HAPs, and less than 1 ton of SO₂. 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.

36-03152A: Wenger's Feed Mill, Inc., 101 West Harrisburg Avenue, Rheems, PA 17570, to issue a State-Only Operating Permit for their soybean processing plant in West Donegal Township, **Lancaster County**. Potential emissions from the facility are estimated to be 2.0 tpy of CO, 2.4 tpy NO_x, 8.5 tpy PM₁₀, & 0.1 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

34-03006: Stella Jones Corp., P.O. Box 251, McAlisterville, PA 17049, to issue a State Only Operating Permit for their lumber pressure treatment facility in Fayette Township, **Juniata County**. The facility's potential-to-emit estimates are approximately 4.74 tpy VOC, 5.26 tpy PM, 0.75 tpy of SO_x, 2.00 tpy CO, 3.86 tpy NO_x, and 2.74 tpy HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure

the facility complies with the applicable air quality regulations. Among other items, the permit includes provisions derived from 40 CFR Part 63, Subpart JJJJJJ.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, (412) 442-4336.

63-00938: MarkWest Liberty Midstream & Resources, LLC, 4600 J. Barry Ct., Ste. 500, Canonsburg, PA 15317-5854, initial Natural Minor State-Only Operating Permit is for the Hoskins natural gas compressor station located in Blaine Township, **Washington County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions consist of four (4) 1,340-HP Caterpillar G3516LE compressor engines controlled by oxidation catalysts, one (1) 40.0 MMscf/day dehydration unit and associated 0.75 MMBtu/hr reboiler, one (1) 7.0 MMBtu/hr enclosed flare, two (2) 400-bbl condensate storage tanks, one (1) 520-gallon methanol storage tank, pneumatic devices, venting/blowdowns, fugitives, condensate loadout, crank-case vents, pigging operations, and miscellaneous sources that includes rod packing and measurement analyzers. The facility is required to conduct regular surveys of the site while operating to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The facility-wide potential-to-emit is 80.3 TPY NO_x, 31.5 TPY CO, 37.0 TPY VOC, 1.9 TPY PM, 1.9 TPY PM₁₀/PM_{2.5}, 0.20 TPY SO_x, 35,287 TPY CO_{2e}, 7.7 TPY total HAP, and 5.0 TPY single HAP. The air quality operating permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, testing, reporting, and recordkeeping 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 Natural Minor 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. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (63-00938) 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>.

26-00500: Iron Pennsylvania Terminal, LLC, fka Contura PA Terminal, LLC/LaBelle Dock, 731 Mooney Ridge Road, Waynesburg, PA 15370. 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 the operation of a barge unloading and loading facility located in Luzerne Township, **Fayette County**.

Iron Pennsylvania Terminal owns and operates a barge unloading and loading facility offloads clean bituminous coal and conveys it to railcar loadout. This facility has a potential to emit 1.3 tons/12-consecutive month period (12-cmp) of NO_x, 1.1 tons/12-cmp of CO, 0.01 ton/12-cmp, 0.1 ton/12-cmp of VOCs, 26.3 tons/12-cmp of PM, 10.7 tons/12-cmp of PM₁₀, and 1.6 tons/12-cmp PM_{2.5}. The facility is limited to 10,000,000 tons of throughput per 12-consecutive month period (12-cmp). The coal stockpile is limited to 580,000 tons. In emergency conditions, the total truck loading of coal from the alternative dock is limited to 1,000,000 tons/12-cmp. 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 (26-00500) 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.

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

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

32-00129: Eastern Gas Transmission & Storage Incorporated, Rochester Mills, 6603 West Broad Street,

Richmond, VA 23230, the Department intends to issue a State Only Operating Permit for compression and transfer of natural gas located in North Mahoning Township, **Indiana County**. The subject facility consists of two natural gas compressor engines (440 hp each), emergency generator (240 hp), dehydrator controlled by thermal oxidizer, and fugitive tank emissions. The facility is limited to 9,000 hours per year combined between the two natural gas compressor engines. The facility has the potential to emit 96.61 tpy NO_x, 11.05 tpy CO, 11.21 tpy VOC, 0.01 SO_x, 0.19 tpy PM, 1.72 tpy HAPs, and 2,845.07 tpy CO₂. The facility is a synthetic minor and is subject to State Regulations and Federal Regulations (40 CFR Part 63 HH and ZZZZ). The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

32-00303: Eastern Gas Transmission & Storage Incorporated, Cherry Tree, 6603 West Broad Street, Richmond, VA 23230, the Department intends to issue a State Only Operating Permit for compression and transfer of natural gas located in Montgomery Township, **Indiana County**. The subject facility consists of two natural gas compressor engines (1-600 hp and 1-860 hp), dehydrator controlled by an oxidation catalyst, and fugitive tank emissions. The facility has the potential to emit 83.28 tpy NO_x, 57.55 tpy CO, 42.83 tpy VOC, 0.03 SO_x, 0.80 tpy PM, 4.68 tpy HAPs, and 5,882.04 tpy CO₂. The facility is a synthetic minor and is subject to State Regulations and Federal Regulations (40 CFR Part 63 ZZZZ). The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00034: Lindy Paving, Incorporated, Wheatland Asphalt Plant, 255 Ohio Street, Wheatland, PA 16161, the Department intends to issue the renewal State-Only Operating Permit of a facility consisting of two hot mix asphalt (HMA) batch plants located in Wheatland Borough, **Mercer County**. The facility elected to be subject to a 495,000-TPY asphalt production limit to keep its CO emissions below the 100-TPY major source threshold and be Synthetic Minor for permitting purposes. In this renewal, provisions on source test submittals are revised based on latest instructions from Source Testing Section. Set by the Department as a legal operating limit, a 233-ton/hour throughput restriction when using recycled asphalt pavement (RAP) is added as a permit condition for one of the HMA batch plants. Permit conditions based on an approved Request For Determination (RFD) are removed. With monthly HMA throughputs already reported in annual emissions inventory reports, an annual reporting on HMA throughputs of the two HMA plants is removed.

43-00384: Davis Alloys Manufacturing, 295 East High Street Extension, Sharpsville, PA 16150-2224. The Department is providing notice that they intend to issue a new State Only Natural Minor Operating Permit for the specialty alloy facility located in Sharpsville Borough, **Mercer County**. The facility's primary emission sources include the induction furnaces controlled by a baghouse, shot blasting booths, shake out, the hammer mill, and natural gas-fired space heating. The potential emission of PM is 31.29 TPY, total HAPs is 5.75 TPY, NO_x is

1.17 TPY, and all other primary pollutants are less than 1 TPY; thus, the facility is a natural minor. The facility is subject to plan approval 43-384A, which includes a facility emission limit of PM. The facility is subject to 40 CFR 63 Subpart ZZZZZ, NESHAP for Iron and Steel Foundry Area Source of HAP (small foundry). The renewal permit will contain emission restrictions, record-keeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

PLAN APPROVALS

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

Plan Approval No. 48-00022B, Ardent Mills, LLC, 4888 South Delaware Drive, Martins Creek, PA 18063, Mount Bethel Township, Northampton County.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Ardent Mills, LLC, 4888 South Delaware Drive, Martins Creek, PA 18063, for their facility located in Lower Mount Bethel Township, Northampton County. This Plan Approval No. 48-00022B will be incorporated into a State Only Permit through an administrative amendment at a later date.

Plan Approval No. 48-00022B is for the replacement of two existing baghouses operating at the facility with a new higher capacity baghouse to control particulate emissions from the bulk loadout and packing area. This facility is a Non-Title V facility. Proposed new baghouse will collect 99.9% of particulate emissions before discharging into atmosphere. The use of a baghouse capable of removing 99.9% of emissions meets Department's BAT criteria for this type of process. The company will operate the sources and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 48-00022B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Engineer Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

Plan Approval No. 54-00097A, CES Biogas, LLC, 4444 Westheimer Road, Houston, TX 77027, Foster Township, Schuylkill County.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to CES Biogas LLC (4444 Westheimer Road, Houston, TX 77027) for their facility to be located in Foster Township, Schuylkill County. This Plan Approval No. 54-00097A will be incorporated into a State Only Permit through an administrative amendment at a later date.

CES Biogas, LLC, is proposing a high BTU RNG processing facility designed to process up to 9,600 SCFM of landfill gas. The plant is being designed and controlled by a thermal recuperative oxidizer (TRO) unit and flare that will be used to process the waste gas and off spec gas to destroy VOCs and HAPs. There will also be two natural gas turbines to provide electricity along with a backup generator.

The Department's review of the information submitted by CES Biogas LLC, indicates that the proposed operation will meet all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirements. The company shall comply with 123.31 for malodorous emissions. The company shall comply with 123.13 for particulate emissions. The company shall comply with 123.41 for visible emissions. VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The turbines will be subject to NSPS 40 CFR Part 60, Subpart KKKK requirements. The emergency generator will be subject to NSPS 40 CFR Part 60 Subpart IIII.

The Plan approval and Operating Permit will include testing, monitoring, recordkeeping, and reporting requirements designed to keep the sources operating within all applicable air quality requirements. For further details, contact Ray Kempa at (570) 826-2511 within 30 days after publication date.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit

No. 54-00097A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

Plan Approval No. 39-00079A, Bridesburg Foundry Co., 901 Front Street, P.O. Box 269, Whitehall, PA 18052-0269, Whitehall Township, **Lehigh County.**

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Bridesburg Foundry Co., 901 Front Street, P.O. Box 269, Whitehall, PA 18052-0269, for their facility located in Whitehall Township, Lehigh County. This Plan Approval No. 39-00079A will be incorporated into a State Only Permit through an administrative amendment at a later date.

Plan Approval No. 39-00079A is for the installation of a baghouse at the facility to control particulate emissions from the existing sand reclamation and no-bake mixer areas. This facility is a Non-Title V facility. Proposed new baghouse will collect 99% of particulate emissions before discharging into atmosphere. The use of a baghouse capable of removing 99% of emissions meets Department's BAT criteria for this type of process. The company will operate the baghouse in accordance with good engineering practices to assure proper operation of the system. The plan approval and operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility is subject to 40 CFR Part 63 Subpart ZZZZZ and ZZZZZZ and will continue to comply with all applicable requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 39-00079A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests

for a public hearing should be directed to Ray Kempa, Environmental Engineer Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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.

| <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.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, RA-EPCAMBRIA@pa.gov (Contact: Melanie Ford-Wigfield).

Mining Permit No. 31220101 and NPDES Permit No. PA0279854. J&J Svonavec Excavating, Inc., 110 Windermere Lane, Somerset, PA 15501. Commencement, operation and restoration of a bituminous/an anthracite surface mine in Wood Township, **Huntingdon County**, affecting 134.5 acres. Receiving streams: Great Trough Creek, classified for the following uses: TSF. Application received: January 25, 2022.

Mining Permit No. 29160101 and NPDES No. PA0279285. J&J Svonavec Excavating, Inc., 110 Windermere Lane, Somerset, PA 15501, renewal of a NPDES permit for a bituminous surface mine in Wells and Broad Top Townships, **Fulton and Bedford Counties**, affecting 66.0 acres. Receiving stream: Great Trough Creek classified for the following use: TSF. There are no potable water supply intakes within 10 miles downstream. Application received: February 1, 2022.

Mining Permit No. 05160101 and NPDES No. PA0279447. J&J Svonavec Excavating, Inc., 110 Windermere Lane, Somerset, PA 15501, renewal of a NPDES permit for a bituminous surface mine in Broad Top, Wood, and Wells Townships, **Bedford, Huntingdon, and Fulton Counties**, affecting 95.0 acres. Receiving stream: Great Trough Creek classified for the following use: TSF. There are no potable water supply intakes within 10 miles downstream. Application received: February 1, 2022.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EPMOSHANNON@pa.gov (Contact: Cassandra Stanton).

Mining Permit No. 17110109 and NPDES Permit No. PA0257818. King Coal Sales, Inc., P.O. Box 712, Philipsburg, PA 16866. Permit renewal application for a bituminous surface coal mine and associated NPDES permit located in Morris Township, **Clearfield County**, affecting 85.7 acres. Receiving stream(s): unnamed tributary to Hawk Run classified for the following use(s): CWF. Application received: January 26, 2022.

Coal Applications Withdrawn

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

Permit No. 54200101. Selkirk Enterprises, LLC, 10 Gilberton Road, Gilberton, PA 17934, commencement, operation and restoration of an anthracite surface mine operation in Branch Township, **Schuylkill County**, affecting 149.5 acres. Receiving stream: West West Branch Schuylkill River. Application received: February 7, 2020. Application withdrawn: February 2, 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.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, RA-EPCAMBRIA@pa.gov (Contact: Melanie Ford-Wigfield).

Mining Permit No. 50820303 and NPDES Permit No. PA0613169. Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110. NPDES renewal of an existing large noncoal surface mine located in Oliver Township, **Perry County**. Receiving streams: Little Buffalo Creek, classified for the following uses: CWF. Application received: February 2, 2022.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EPMOSHANNON@pa.gov (Contact: Cassandra Stanton).

NPDES No. PA0257419 (Mining Permit No. 08100303). Robert Johnson Flagstone, Inc., 3658 Old Stage Coach Road, Wyalusing, PA 18853, renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site located in Herrick Township, **Bradford County**, affecting 42.7 acres. Receiving stream(s): Unnamed tributary to Wyalusing Creek and Camps Creek classified for the following use(s): WWF, MF. Application received: January 27, 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.

Coal NPDES Draft Permits

California District Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100, (Contact: Bonnie Herbert).

NPDES No. PA0235695 (Mining Permit No. 56743705), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit in Paint Township, **Somerset County** and Adams Township, **Cambria County**, affecting 221.0 surface acres related to a coal mining activity permit. Receiving stream: Unnamed Tributaries of Paint Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. Application received: June 29, 2020.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The proposed effluent limits for *Outfall 001* discharging to Unnamed Tributary to Paint Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|----------|----------------|-----------------------|----------------------|-------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 1.5 | 3.0 | 3.8 |
| Manganese | (mg/l) | - | 1.0 | 2.0 | 2.5 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | 0.75 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Osmotic Pressure | (mOs/kg) | - | 50 | 74.62 | 74.62 |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | - | Report |
| Bromide | (mg/l) | - | - | - | Report |

The proposed effluent limits for *Outfall 101* discharging to Underground Injection to Lower Kittanning Mine Workings are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|----------|----------------|-----------------------|----------------------|-------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 3.0 | 6.0 | 7.0 |
| Manganese | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Aluminum | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Osmotic Pressure | (mOs/kg) | - | - | - | Report |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | - | Report |
| Chloride | (mg/l) | - | - | - | Report |
| Bromide | (mg/l) | - | - | - | Report |

The proposed effluent limits for *Outfall 003* discharging to Unnamed Tributary 45262 to Paint Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|----------|----------------|-----------------------|----------------------|-------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 1.5 | 3.0 | 3.8 |
| Manganese | (mg/l) | - | 1.0 | 2.0 | 2.5 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | 0.75 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Osmotic Pressure | (mOs/kg) | - | 58.1 | 116.2 | 116.2 |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|------------------|--------|----------------|---------------------------|--------------------------|-----------------------------|
| Sulfate | (mg/l) | - | - | - | Report |
| Bromide | (mg/l) | - | - | - | Report |

The EPA Waiver is not in effect.

NPDES No. PA0235733 (Mining Permit No. 17051601), Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, renewal of an NPDES permit in Decatur Township, **Clearfield County**, affecting 48.1 surface acres related to a coal mining activity permit. Receiving streams: Moshannon Creek, classified for the following use: TSF and Beaver Run, classified for the following use: CWF. Moshannon Creek Watershed TMDL. Application received: February 12, 2018.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The proposed effluent limits for *Outfall 001* discharging to Moshannon Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to End of 36th Month:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|--------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 3.0 | 6.0 | 7.0 |
| Manganese | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Aluminum | (mg/l) | - | - | - | Report |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | - | Report |

The proposed effluent limits for *Outfall 001* discharging to Moshannon Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from 1st Day of 37th Month to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|--------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 3.0 | 6.0 | 7.0 |
| Manganese | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | 0.75 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | - | Report |

The proposed effluent limits for *Outfall 002* discharging to Moshannon Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to End of 36th Month:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|--------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 3.0 | 6.0 | 7.0 |
| Manganese | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Aluminum | (mg/l) | - | - | - | Report |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | - | Report |

The proposed effluent limits for *Outfall 002* discharging to Moshannon Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from 1st Day of 37th Month to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|--------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 1.5 | 3.0 | 3.75 |
| Manganese | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | 0.75 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | - | Report |

The proposed effluent limits for *Outfall 003* discharging to Beaver Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to End of 36th Month:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|--------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 3.0 | 6.0 | 7.0 |
| Manganese | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Aluminum | (mg/l) | - | - | - | Report |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | - | Report |

The proposed effluent limits for *Outfall 003* discharging to Beaver Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from 1st Day of 37th Month to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|--------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 1.5 | 3.0 | 3.75 |
| Manganese | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | 0.75 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | - | Report |

The EPA Waiver is not in effect.

NPDES No. PA0215520 (Mining Permit No. 63723707), Maple Creek Mining, Inc., 46226 National Road, St. Clairsville, OH 43950, renewal of an NPDES permit in Nottingham and Carroll Townships, **Washington County**, affecting 245.0 surface acres related to a coal mining activity permit. Receiving streams: Unnamed Tributary to Pigeon Creek, classified for the following use: WWF. Monongahela River Watershed TMDL. Application received: March 4, 2016.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The proposed effluent limits for *Outfall 003* discharging to Unnamed Tributary of Pigeon Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|------------------|--------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 1.52 | 2.38 | 3.8 |

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|----------|----------------|---------------------------|--------------------------|-----------------------------|
| Manganese | (mg/l) | - | 1.0 | 2.0 | 2.5 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | 0.75 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Osmotic Pressure | (mOs/kg) | - | 50 | 50 | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | 250 | - |

The proposed effluent limits for *Outfall 004* discharging to Unnamed Tributary to Pigeon Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|----------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 1.52 | 2.38 | 3.8 |
| Manganese | (mg/l) | - | 1.0 | 2.0 | 2.5 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | 0.75 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Osmotic Pressure | (mOs/kg) | - | 50 | 50 | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | 250 | - |

The proposed effluent limits for *Outfall 012* discharging to Unnamed Tributary to Pigeon Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|--|----------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | - | Report |
| Iron | (mg/l) | - | 1.52 | 2.38 | 3.8 |
| Manganese | (mg/l) | - | 1.0 | 2.0 | 2.5 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | 0.75 |
| Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| pH | (s.u.) | 6.0 | - | - | 9.0 |
| Alkalinity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Acidity, Total as CaCO ₃ | (mg/l) | - | - | - | Report |
| Alkalinity, Net | (mg/l) | 0.0 | - | - | - |
| Osmotic Pressure | (mOs/kg) | - | 50 | 50 | - |
| Total Dissolved Solids | (mg/l) | - | - | - | Report |
| Sulfate | (mg/l) | - | - | 250 | - |

The EPA Waiver is not in effect.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

NPDES No. PA0592978 (Mining Permit Nos. 49803201 and 49803202), Reading Anthracite Co., P.O. Box 1200, renewal of NPDES Permit in Zerbe Township, **Northumberland County**, affecting 221.0 acres. Receiving stream: Zerbe Run, classified for the following uses: CWF MF. Application received: August 7, 2020.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

There are no discharges to Zerbe Run from these permits.

NPDES No. PA0592749 (Mining Permit No. 54850204), Jeddo-Highland Coal Co., 144 Brown Street, Yatesville, PA 18640, renewal of NPDES Permit in Porter Township, **Schuylkill County**, affecting 246.1 acres. Receiving stream: Wiconisco Creek, classified for the following uses: CWF, MF. Wiconisco Creek TMDL (metals and pH). Application received: June 7, 2021.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following stormwater outfalls discharge to Wiconisco Creek:

| <i>Outfall Number</i> | <i>New or Existing</i> | <i>Type</i> | <i>Discharge Rate</i> |
|-----------------------|------------------------|-------------|---------------------------|
| 001 | Existing | Stormwater | Varies with Precipitation |

The proposed effluent limits for the previously listed outfall are as follows:

The following limits apply to dry weather discharges from the following stormwater outfalls: 001

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|---|----------------|-----------------------|----------------------|------------------------|
| pH ¹ (S.U.) | 6.0 | | | 9.0 |
| Total Alkalinity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Total Acidity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Suspended Solids (mg/L) | | 35.0 | 70.0 | 90.0 |
| Total Iron (mg/L) | | 3.0 | 6.0 | 7.0 |
| Total Manganese (mg/L) | | 2.0 | 4.0 | 5.0 |
| Total Aluminum (mg/L) | | 1.4 | 2.8 | 3.5 |

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event: 001

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|---|----------------|-----------------------|----------------------|------------------------|
| pH ¹ (S.U.) | 6.0 | | | 9.0 |
| Total Alkalinity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Total Acidity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Settleable Solids (ml/L) | | | | 0.5 |

¹ This Parameter is applicable at all times

NONCOAL NPDES DRAFT PERMITS

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, RA-EPCAMBRIA@pa.gov (Contact: Melanie Ford-Wigfield).

NPDES No. PA PA0623029 (Mining Permit No. 7574046), New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit in Southampton Township, **Cumberland County**, affecting 377.52 acres. Receiving stream: unnamed tributary to Bulls Head Branch, classified for the following use: CWF. Application received: December 9, 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 unnamed tributary to Bulls Head Branch:

| <i>Outfall Number</i> | <i>New or existing</i> | <i>Type</i> | <i>Discharge Rate</i> |
|-----------------------|------------------------|------------------|-----------------------|
| 001 | Existing | Pumped Pit Water | 1.87 MGD |

The proposed effluent limits for the previously listed outfall are as follows:

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|----------------------------------|----------------|-----------------------|----------------------|------------------------|
| pH (S.U.) | 6.0 | XXX | XXX | 9.0 |
| Total Suspended Solids (mg/L) | XXX | 35.0 | 70.0 | 90.0 |
| Flow (MGD) | XXX | 1.87 | XXX | XXX |
| Temperature (°C) | XXX | XXX | XXX | Report |
| Specific Conductivity (µmhos/cm) | XXX | XXX | XXX | Report |

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EPPottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

NPDES No. PA0117986 (Mining Permit No. 8275SM3), New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, renewal of NPDES permit on a quarry operation in Caernarvon Township, **Lancaster County**, affecting 123.0 acres. Receiving stream: unnamed tributary to Conestoga River, classified for the following use: WWF. Application received: June 16, 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 unnamed tributary to Conestoga River.

| <i>Outfall Number</i> | <i>New or existing</i> | <i>Type</i> | <i>Discharge Rate</i> |
|-----------------------|------------------------|-------------|-----------------------|
| 001 | Existing | TFO | 0.72 MGD |

The proposed effluent limits for the previously listed outfall are as follows:

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|-------------------------------|----------------|-----------------------|----------------------|------------------------|
| Flow (MGD) | | 0.72 | | |
| Alkalinity, Total (mg/L) | | | | Report |
| Acidity, Total (mg/L) | | | | Report |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Suspended Solids (mg/L) | | 35.0 | 70.0 | 90.0 |

NPDES No. PA0612791 (Mining Permit No. 06820601), Southern Berks Land Co., LP, 200 Bethlehem Drive, Suite 106, Morgantown, PA 19543, transfer of NPDES Permit from Allan Myers Materials L.P. d/b/a Allan Myers Materials in New Morgan Borough and Caernarvon Township, **Berks County**, affecting 93.2 acres. Receiving stream: unnamed tributary to East Branch Conestoga River, classified for the following use: WWF. Application received: May 25, 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 unnamed tributary to East Branch Conestoga River.

| <i>Outfall Number</i> | <i>New or existing</i> | <i>Type</i> | <i>Discharge Rate</i> |
|-----------------------|------------------------|------------------------|-----------------------|
| 001 | Existing | Groundwater/Stormwater | 1.1 MGD |

The proposed effluent limits for the previously listed outfall are as follows:

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|---|----------------|-----------------------|----------------------|------------------------|
| pH ¹ (S.U.) | 6.0 | | | 9.0 |
| Total Alkalinity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Total Acidity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Suspended Solids (mg/L) | | 35.0 | 70.0 | 90.0 |
| Discharge (MGD) | | 1.1 | 1.1 | |

¹ This Parameter is applicable at all times.

NPDES No. PA0594571 (Mine Permit Nos. 6276SM1 & 36930301), New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, renewal of an NPDES permit in Salisbury Township, **Lancaster County**, affecting 93.1 acres. Receiving stream: unnamed tributary to Pequea Creek, classified for the following use: HQ. Application received: August 3, 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 Unnamed Tributary to Pequea Creek:

| <i>Outfall Number</i> | <i>New or Existing</i> | <i>Type</i> | <i>Discharge Rate</i> |
|-----------------------|------------------------|-------------|---------------------------|
| 001 | Existing | Pitwater | 1.25 MGD |
| 002 | Existing | Stormwater | Varies with Precipitation |
| 003 | Existing | Stormwater | Varies with Precipitation |

The proposed effluent limits for Outfall 001 are as follows:

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|---|----------------|-----------------------|----------------------|------------------------|
| pH ¹ (S.U.) | 6.0 | | | 9.0 |
| Total Alkalinity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Total Acidity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Suspended Solids (mg/L) | | 35.0 | 70.0 | 90.0 |
| Discharge (MGD) | | 1.25 | 2.00 | |
| Oil and Grease (mg/L) | | | Monitor And Report | |
| Turbidity (NTU) | | | | 40.0 |

The proposed effluent limits for Outfalls 002 and 003 are as follows:

The following limits apply to dry weather discharges from the following stormwater Outfalls: 002, 003

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|---|----------------|-----------------------|----------------------|------------------------|
| pH ¹ (S.U.) | 6.0 | | | 9.0 |
| Total Alkalinity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Total Acidity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Suspended Solids (mg/L) | | 35.0 | 70.0 | 90.0 |
| Oil and Grease (mg/L) | | | Monitor and Report | |

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|-------------------------|----------------|---------------------------|--------------------------|----------------------------|
| Turbidity (NTU) | | 40.0 | 80.0 | 100.0 |

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event: 002, 003

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|---|----------------|---------------------------|--------------------------|----------------------------|
| pH ¹ (S.U.) | 6.0 | | | 9.0 |
| Total Alkalinity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Total Acidity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Settleable Solids (ml/L) | | | | 0.5 |

¹ This Parameter is applicable at all times.

NPDES No. PA0613037 (Mining Permit No. 45950302, H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, renewal of NPDES Permit in Tobyhanna Township, **Monroe County**, affecting 116.45 acres. Receiving stream: unnamed tributary to Trout Creek, classified for the following use: EV. Application received: August 14, 2020.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to unnamed tributary to Trout Creek:

| <i>Outfall Number</i> | <i>New or Existing</i> | <i>Type</i> | <i>Discharge Rate</i> |
|-----------------------|------------------------|-------------|-----------------------|
| LRQ-002 | Existing | Stormwater | 0.05 MGD |
| LRQ-003 | Existing | Stormwater | 0.05 MGD |
| LRQ-004 | Existing | Stormwater | Inactive |

The proposed effluent limits for the previously listed outfalls are as follows:

The following limits apply to dry weather discharges from the following stormwater outfalls: LRQ-002, LRQ-003, LRQ-004

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|---|----------------|---------------------------|--------------------------|----------------------------|
| pH ¹ (S.U.) | 6.0 | | | 9.0 |
| Total Alkalinity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Total Acidity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Suspended Solids (mg/L) | | 35.0 | 70.0 | 90.0 |
| Oil and Grease (mg/L) | | | Monitor and Report | |
| Turbidity (NTU) | | 40.0 | 80.0 | 100.0 |

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event: LRQ-002, LRQ-003, LRQ-004

| <i>Parameter (unit)</i> | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant Maximum</i> |
|---|----------------|---------------------------|--------------------------|----------------------------|
| pH ¹ (S.U.) | 6.0 | | | 9.0 |
| Total Alkalinity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Total Acidity (as CaCO ₃) (mg/L) | | | Monitor and Report | |
| Net Alkalinity (mg/L) | 0.0 | | | |
| Total Settleable Solids (ml/L) | | | | 0.5 |

¹ This Parameter is applicable at all times

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction

and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. 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)).

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epuw-vero@pa.gov.

Permit No. E4601222-001, PECO Energy Company, 2301 Market Street, N3-3, Philadelphia, PA 19103, Upper Merion and Schuylkill Townships, **Montgomery and Chester Counties,** ACOE Philadelphia District.

To construct and maintain approximately 161 LF of 16-inch diameter pipe within a 20-inch diameter steel casing via jack and bore and approximately 25 LF of 16-inch steel pipe across the Valley Creek (EV-MF) associated with the replacement of 12-inch diameter gas main for the residential community improvements. The existing 12-inch gas main will be abandoned in-place.

The site is located along Valley Forge Road (Valley Forge, PA USGS Quadrangle, Latitude: 40.100026; Longitude: -75.462546) in Upper Merion Township, Montgomery County and Schuylkill Township, Chester County.

Permit No. E4601222-002, PECO Energy Company, 2301 Market Street, N3-3, Philadelphia PA 19103, Whitmarsh Township, **Montgomery County,** ACOE Philadelphia District.

To construct and maintain approximately 50 linear feet (LF) of new 12-inch diameter steel gas main within 16-inch diameter steel casing via jack and bore (UNT) to the Schuylkill River, i.e., Plymouth Creek (WWF, MF)) and approximately 60 linear feet of the new 12-inch diameter steel gas main via open trench within the Butler Pike ROW, in the 50-foot assumed regulated floodway.

The site is in a historic district and located near the intersection of Township Line Road and Butler Pike (Norristown, PA USGS map; Lat: 40.119028; Long: -75.263073), in Whitmarsh Township, Montgomery County.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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

E3502222-001, PA American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055, in City of Scranton, **Lackawanna County,** U.S. Army Corps of Engineers, Baltimore District.

To extend the existing outfall pipe approximately 15 feet in the floodway of the Lackawanna River (HQ-CWF, MF) consisting of an 18-inch PVC SDR pipe, install

a new concrete headwall at the pipe discharge and install rip rap around the outlet pipe and below the discharge point. To construct and maintain a precast concrete staircase in the floodway of the Lackawanna River (HQ-CWF, MF). The project is located in the City of Scranton, Lackawanna County. Quadrangle Latitude: 41° 24' 15"; Longitude: -75° 40' 16". (Scranton, PA Quadrangle, Latitude: 41° 24' 1"; Longitude: -75° 40' 16").

E6402222-002, Clayton Park Industries, Inc., 26 Eagle Eye Drive, Lake Ariel, PA 18436, in Lake Township, **Wayne County,** U.S. Army Corps of Engineers, Philadelphia District.

To maintain forty-four (44) existing docks, totaling 8,458 SF within the recreational community of Clayton Park Recreational Area within the basin of Lake Henry (HQ-CWF, MF). The project is located in the Clayton Park RV Escape Campground on Lake Henry (Lake Ariel, PA Quadrangle Latitude: 41° 27' 16"; Longitude: -75° 26' 54") in Lake Township, Wayne County.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Dana Drake.

E0205221-030, City of Pittsburgh, Department of Public Works, 414 Grant Street, Room 301, Pittsburgh, PA 15219, City of Pittsburgh, **Allegheny County,** Pittsburgh ACOE District.

The applicant proposes to:

1. Construct and maintain 1,312 linear feet of open channel and 4,327 square feet (0.1 acre) of adjacent wetlands, as part of a proposed green stormwater infrastructure (GSI) network, to separate and convey stream flow from existing seeps (A1, A2, D), and 477 linear feet of existing combine storm sewer.

2. Excavate Wetland A1 (0.003 acre; PEM), which is fed by a seep, and relocate flow from 130 linear feet of existing concrete lined channel, in association with the construction of a new sediment forebay, which will convey flow to a proposed GSI network.

3. Regrade Wetland C (0.03 acre; PEM), which is fed by a second seep, to direct flow to the aforementioned GSI network.

The project purpose is to reduce combined sewer overflows during storm events and create habitat. Cumulatively, the project will permanently impact 0.03 acre of wetlands. The project site is located at 239 S. 21st Street, Pittsburgh East, PA USGS topographic quadrangle; N: 40°, 25', 19"; W: -79°, 58', 39"; Sub-basin 19A; USACE Pittsburgh District, in City of Pittsburgh, Allegheny County.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

E2006222-002, Conneaut Lake Joint Municipal Authority, 9888 State Highway 285, P.O. Box 277, Conneaut Lake, PA 16313. S8 Line Separation, in Sadsbury Township, **Crawford County,** ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 41.601961; W: -80.298795).

The applicant proposes to install a 12-inch HDPE sewer line to reroute a deteriorating reinforced concrete force main and rehabilitate the existing sewage treatment facility located within the FEMA Floodplain. The project will cross under 2 streams and 2 wetlands. The installation of the new line will impact 88 linear feet of Conneaut Outlet and 0.15 acre of PFO wetlands.

E3706222-001, New Castle Area Transit Authority, 311 Mahoning Avenue, New Castle, PA 16102. NCATA Bus Storage Building, in New Castle City, **Lawrence County**, ACOE Pittsburgh District (New Castle South, PA Quadrangle N: 40°, 58', 58"; W: -80°, 21', 18").

To construct and maintain a new approximately 18,000 square feet New Castle Area Transit Authority (NCATA) bus storage facility including utilities, parking, access drives, and all necessary stormwater controls in Lawrence County just east of the existing NCATA facility along Mahoning Avenue in New Castle City.

E1006122-001, PADOT, Engineering District 10-0, 2550 Oakland Ave., Indiana, PA 15701, SR 3020, Section 298 (Freedom Road), in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Baden, PA Quadrangle N: 40°, 40', 54.3"; W: 80°, 08', 3.2").

This roadway improvement project proposes the reconstruction and widening of 0.95-mi of SR 3020 (Freedom Road) for the purpose of improving safety, mobility and multimodal connections requiring the replacement of various drainage outfalls and fill slope adjustments resulting in a total of 1,083-ft of permanent stream impacts, 1,234-ft of temporary stream impacts, 0.24-ac of permanent wetland impacts, and 0.26-ac of temporary wetland impacts to accommodate the proposed center turn lane and sidewalks. A total of 25-ft of stream bank stabilization and 361-ft of stream relocation are proposed to offset a total of 337-ft of stream channel loss; permanent wetland impacts will be mitigated by debiting from the Butler County Wetland Mitigation Bank, owned by the applicant.

Eastern Region: Oil & Gas Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

E0829222-002, Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Albany Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. A water impoundment temporary impacting 12,458 square feet (0.286 acre) of Palustrine Emergent Wetland, 1,568 square feet (0.036 acre) of Palustrine Forested Wetland and permanently impacting 10,411 square feet (0.239 acre) of a Palustrine Emergent Wetland (Dushore, PA Quadrangle, Latitude: 41.604738°, Longitude: -76.468047°).

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 10,411 square feet (0.239 acre) of permanent PEM wetland impacts and 14,026 square feet of temporary PEM and PFO wetland impacts, all for the purpose of building a water impoundment for Marcellus well development in Monroe, Township, Bradford County. The permittee will provide 0.286 acre of PEM and 0.036 acre of PFO on-site restoration and 0.621 acre of PEM and 0.072 acre of PFO 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, Floor 2, 400 Market Street, Harrisburg, PA 17101, telephone number: 717-787-3411.

D20-073 EA, Brenda Costa, Executive Director, French Creek Valley Conservancy, 411 Chestnut Street, Meadville, PA 16335; Nancy Dearolf, Mobile Realty 11, LLC, 1768 Oregon Pike, Lancaster, PA 17601. Meadville, **Crawford County**.

Project proposes to remove the Cussewago Dam in entirety to eliminate a threat to public safety and to restore approximately 1,500 feet of stream channel to a free-flowing condition. The project is located across Cussewago Creek (WWF) (Meadville, PA Quadrangle, Latitude: 41.6472; Longitude: -80.1683).

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/CWPpublicNotice.

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> |
|---------------------------|---|---------------------|---|--|-------------------|
| 0622801 | Joint DEP/PFBC Pesticides Permit | Issued | Reading Area Water Authority Berks County 1801 Kutztown Road Reading, PA 19604 | Ontelaunee Township Berks County | SCRO |
| PA0026255 | Major Sewage Facility >= 5 MGD Individual NPDES Permit | Issued | Allegheny Valley Joint Sewer Authority P.O. Box 158 2400 Freeport Road Cheswick, PA 15024-0158 | Harmar Township Allegheny County | SWRO |
| PA0026921 | Major Sewage Facility with CSOs Individual NPDES Permit | Issued | Greater Hazleton City Joint Sewer Authority Luzerne County P.O. Box 651 Hazleton, PA 18201-0651 | West Hazleton Borough Luzerne County | NERO |
| PA0009911 | Minor Industrial Waste Facility without ELG Individual NPDES Permit | Issued | Papettis Hygrade Egg Products, Inc. 68 Spain Road Klingerstown, PA 17941-9656 | Upper Mahantango Township Schuylkill County | NERO |
| PA0244147 | Minor Sewage Facility < 0.05 MGD Individual NPDES Permit | Issued | Wrightstown Township Bucks County 2203 Second Street Pike Wrightstown, PA 18940 | Wrightstown Township Bucks County | SERO |
| PA0093157 | Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit | Issued | Moraine Camplands Association, Inc. 281 Staff Road Slippery Rock, PA 16057-5327 | Brady Township Butler County | NWRO |
| PA0228800 | Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit | Issued | Herndon Borough Jackson Township Joint Municipal Authority P.O. Box 381 Herndon, PA 17830-0381 | Herndon Borough Northumberland County | NCRO |

NOTICES

1163

| <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> |
|---------------------------|---|---------------------|--|--|-------------------|
| 6021402 | Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit | Issued | Hartleton Borough Municipal Authority Union County P.O. Box 31 Hartleton, PA 17829-0031 | Hartleton Borough Union County | NCRO |
| NOEXNW167 | No Exposure Certification | Issued | Cronimet Specialty Metals USA, Inc. 209 Reynolds Industrial Park Drive Greenville, PA 16125-8216 | Pymatuning Township Mercer County | NWRO |
| PAG033540 | PAG-03 NPDES General Permit for Industrial Stormwater | Issued | Knouse Foods Cooperative, Inc. P.O. Box 807 Biglerville, PA 17307-0807 | Tyrone Township Adams County | SCRO |
| PAG033560 | PAG-03 NPDES General Permit for Industrial Stormwater | Issued | Russell Std 285 Kappa Drive Suite 300 Pittsburgh, PA 15238-2814 | Greene Township Franklin County | SCRO |
| PAR800045 | PAG-03 NPDES General Permit for Industrial Stormwater | Issued | UPS Ground Freight 55 Glenlake Parkway Atlanta, GA 30328 | West Pottsgrove Township Montgomery County | SERO |
| PAG103585 | PAG-10 NPDES General Permit for Hydrostatic Test Water | Issued | Texas Eastern Trans LP 890 Winter Street Waltham, MA 02451-1470 | Lack Township Juniata County | SCRO |
| PAG123786 | PAG-12 NPDES General Permit for CAFOs | Issued | Mason Dixon Farms, Inc. 1800 Mason Dixon Road Gettysburg, PA 17325-7127 | Freedom Township Adams County | SCRO |
| 2221404 | Pump Stations WQM Individual Permit | Issued | Steelton Borough Dauphin County 123 N Front Street Steelton, PA 17113-2238 | Steelton Borough Dauphin County | SCRO |
| 2520410 | Sewage Treatment Facilities Individual WQM Permit | Issued | Todd & Emily Davis Irrevocable Trust 1806 6th Avenue Beaver Falls, PA 15010-4011 | Harborcreek Township Erie County | NWRO |
| PA0245348 | Single Residence STP Individual NPDES Permit | Issued | Wavrek Dorothy 518 Beechwood Drive Kennett Square, PA 19348-1804 | East Marlborough Township Chester County | SERO |
| PA0288357 | Single Residence STP Individual NPDES Permit | Issued | Todd & Emily Davis Irrevocable Trust 1806 6th Avenue Beaver Falls, PA 15010-4011 | Harborcreek Township Erie County | NWRO |
| PA0289981 | Single Residence STP Individual NPDES Permit | Issued | Smith Bryan L 32 Fassinger Lane Volant, PA 16156-1312 | Springfield Township Mercer County | NWRO |
| PA0290122 | Single Residence STP Individual NPDES Permit | Issued | Shollenberger Matthew 8200 Keefer Road Girard, PA 16417-8030 | Fairview Township Erie County | NWRO |
| 1521413 | Single Residence Sewage Treatment Plant Individual WQM Permit | Issued | Wavrek Dorothy 518 Beechwood Drive Kennett Square, PA 19348-1804 | East Marlborough Township Chester County | SERO |

| <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> |
|---------------------------|---|---------------------|--|---------------------------------------|-------------------|
| 2521432 | Single Residence Sewage Treatment Plant Individual WQM Permit | Issued | Shollenberger Matthew 8200 Keefer Road Girard, PA 16417-8030 | Fairview Township Erie County | NWRO |
| 4321413 | Single Residence Sewage Treatment Plant Individual WQM Permit | Issued | Smith Bryan L 32 Fassinger Lane Volant, PA 16156-1312 | Springfield Township Mercer 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> |
|----------------------|-----------------------|---------------------|--|--|---------------|
| PAC150300 | PAG-02 | Issued | Gourmets Delights Mushrooms P.O. Box 160 Avondale, PA 19311 | Franklin Township Chester County | SERO |
| PAC150013 | PAG-02 | Issued | The Reserve at Glen Loch, LLC 409 Stenton Avenue Flourtown, PA 19031 | West Whiteland Township Chester County | SERO |
| PAC150281 | PAG-02 | Issued | Arlin Benner 1103 Iron Bridge Road Mount Joy, PA 17552 | West Fallowfield Township Chester County | SERO |
| PAC150287 | PAG-02 | Issued | EVG Investments LLC 1407 Foulk Road Suite 101 Wilmington, DE 19803 | London Grove Township Chester County | SERO |
| PA460001C | General | Permit Issuance | Wambold Realty, LP 65 Wambold Road Souderton, PA 18964 | Towamencin Township Montgomery County | SERO |
| PA510018C | PAG-02 General Permit | Issued | 412-426 North 2nd Street Associates, LLC 515 Marin Blvd Jersey City, NJ 07302 | City of Philadelphia Philadelphia County | SERO |
| PA510020C | PAG-02 General Permit | Issued | AP Const, Inc. 915 S Black Horse Pike Blackwood, NJ 08012-2815 | City of Philadelphia Philadelphia County | SERO |
| PAC460582 | PAG-02 | Issued | Montgomery County Planning Commission 425 Swede Street One Montgomery Plaza | Springfield Township Montgomery County | SERO |
| PAC460615 | PAG-02 | Issued | Fox Clearing, LLC 227 Granite Run Drive Suite 100 Lancaster, PA 17601-6813 | Upper Hanover Township Montgomery County | SERO |
| PAC460597 | PAG-02 | Issued | Hallmark Homes PA, LLC 865 Easton Road Suite 320 Warrington, PA 18976-1877 | Upper Providence Township Montgomery County | SERO |
| PAC460566 | PAG-02 | Issued | Baederwood Residential Partners, LP 1301 Lancaster Avenue Berwyn, PA 19312 | Abington Township Montgomery County | SERO |
| PAC460641 | PAG-02 | Issued | Julia Rudyak Dylan Pond 6551 Black Rock Road Bryn Mawr, PA 19010 | Lower Merion Township Montgomery County | SERO |

NOTICES

1165

| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|---------------------------|---------------------|--|--|---|
| PAC460647 | PAG-02 | Issued | Knox Real Estate Group, LLC Box 354 Wynnewood, PA 19096-0364 | Lower Merion Township Montgomery County | SERO |
| PAC230190 | Chapter 102 General NPDES | Permit Issuance | Five Star Development & Management, LLC 21 Crozerville Road Aston, PA 19014 | Aston Township Delaware County | SERO |
| PAC090491 | PAG-02 General Permit | Issued | 900 Wheeler Langhorne, LLC Tices Bristol Associates II, LLC 33 Cotters Lane East Brunswick, NJ 08816-2002 | Middletown Township Bucks County | SERO |
| PAD460008 Renewal | PAG-02 General Permit | Issued | Realen Valley Forge Greenes Associates 1550 Vine Street Philadelphia, PA 19102 | Upper Merion Township Montgomery County | SERO |
| PAD150248 Renewal | PAG-02 General Permit | Issued | J.P.O. Spring Oak 2, LLC Two Tower Bridge One Fayette Street Suite No. 175 Conshohocken, PA 19428-2064 | Charlestown Township Chester County | SERO |
| PAD450147 | Individual NPDES | Issued | Great Wolf Lodge 1 Great Wolf Drive Scotrun, PA 18355 | Pocono Township Monroe County | NERO |
| PAD390211 | Individual NPDES | Issued | Boyer Allentown SNF, LC 101 South 200 East Suite 200 Salt Lake City, UT 84111 | Lower Macungie Township Lehigh County | NERO |
| PAC540115 | PAG-02 General Permit | Issued | Forino Co., L.P. John Smith 555 Mountain Home Road Sinking Spring, PA 19608-9395 | Pine Grove Borough Schuylkill County | Schuylkill Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742 |
| PAC400217 | PAG-02 General Permit | Issued | TFP Limited IV, L.P. Robert Tamburro 1140 Route 315 Wilkes-Barre, PA 18711-0911 | Wilkes-Barre Township Luzerne County | Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 |
| PAC400197 | PAG-02 General Permit | Issued | Heritage Oaks Mountaintop, LLC Mark Luchi 79 Police Grove Road Drums, PA 18222 | Wright Township Luzerne County | Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 |
| PAD130032 | Individual NPDES | Issued | VALOR Clinic P.O. Box 315 Brodheads ville, PA 18322 | Kidder Township Carbon County | NERO |
| PAC400227 | PAG-02 General Permit | Issued | One More Mountain Top, LLC Phil Malitsch 4511 Falmer Drive Bethlehem, PA 18020-9796 | Wright Township Luzerne County | Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 |

| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|-----------------------------|---------------------|--|---|--|
| PAC390164 | PAG-02 General Permit | Issued | Central Park Apartments LP 1739 Turner Street Allentown, PA 18104 | City of Allentown Lehigh County | Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18104 610-391-9583 |
| PAC390163 | PAG-02 General Permit | Issued | ALDI, Inc. (Pennsylvania) 2700 Saucon Valley Road Center Valley, PA 18034 | Upper Saucon Township Lehigh County | Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18104 610-391-9583 |
| PAD210072 | 102 Individual Permit | Issued | Carlisle Steel Supply, LLC 131 Stover Drive Carlisle, PA 17015 | Middlesex Township Cumberland County | SCRO |
| PAC360457 A01 | PAG-02 General Permit | Issued | Ronald Keener 1221 Mount Gretna Road Elizabethtown, PA 17022 | Mount Joy Township Lancaster County | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 |
| PAC360471 | PAG-02 General Permit | Issued | Destiny Builders & Management LLC 3738 Kennel Avenue Columbia, PA 17512 | Leacock Township Lancaster County | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 |
| PAC360688 | PAG-02 General Permit | Issued | Denver Borough 501 Main Street Denver, PA 17517 | Denver Borough Lancaster County | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 |
| PAC670486 | PAG-02 General Permit | Issued | Keel LP 3333 Baltimore Pike Hanover, PA 17331 | West Manheim Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 |
| PAC670218 A-4 | PAG-02 General Permit | Issued | Steven Schiding 1660 Crows Nest Way York, PA 17403 | York Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 |
| PAC670503 | PAG-02 General Permit | Issued | DCNR Bureau of State Parks P.O. Box 8551 Harrisburg, PA 17105-8551 | Warrington Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 |
| PAC670528 | PAG-02 General Permit | Issued | Columbia Gas of PA 1600 Colony Road York, PA 17408 | Springettsbury Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 |

NOTICES

1167

| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|-----------------------------|---------------------|--|---|---|
| PAC670100 A-1 | PAG-02 General Permit | Issued | Faire Wynd Associates LP 4400 Deer Path Road Harrisburg, PA 17110 | Dover Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 |
| PAC670512 | PAG-02 General Permit | Issued | Manchester Township 3200 Farmtrail Road York, PA 17406 | Manchester Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 |
| PAC020791 | PAG-02 General Permit | Issued | Northwest Land 1006, LLC 10431 Perry Highway Suite 100 Wexford, PA 15090 | North Fayette Township Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAC020805 | PAG-02 General Permit | Issued | Plum Borough 4575 New Texas Road Pittsburgh, PA 15239 | Plum Borough Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAC020279-A-6 | PAG-02 General Permit | Issued | Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 15250 | Findlay Township Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAC020092 | PAG-02 General Permit | Issued | Centerside Industrial, LP 100 Leetsdale Industrial Drive Leetsdale, PA 15056 | Leetsdale Borough Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAC020001-A-4 | PAG-02 General Permit | Issued | Allegheny County Airport Authority Landside Terminal 4th Floor Mezzanine Pittsburgh, PA 15231-0370 | Findlay Township Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAC020036 | PAG-02 General Permit | Issued | Silver Lane Properties, LP 421 Jane Street Carnegie, PA 15106-2047 | Robinson Township Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAC020028 | PAG-02 General Permit | Issued | Frank Bryan, Inc. 1263 Chartiers Avenue McKees Rocks, PA 15136 | Kennedy Township Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |

| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|-------------------------------|---------------------|---|--|---|
| PAC020800 | PAG-02 General Permit | Issued | PTV 1201, LLC 400 Penn Center Boulevard Building 4 Suite 1000 Pittsburgh, PA 15235-5613 | West Deer Township Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAC020277-A-1 | PAG-02 General Permit | Issued | 2330 Wildwood Road, LLC 11 Stanwix Street Floor 12 Pittsburgh, PA 15222 | Hampton Township Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAC020808 | PAG-02 General Permit | Issued | Justin Welker 4141 State Game Lands Road Wexford, PA 15090-7558 | Marshall Township Allegheny County | Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 |
| PAD260018 | Individual NPDES Permit | Issued | Nemacolin Woodlands, Inc. 1001 Lafayette Drive Farmington, PA 15437 | Henry Clay Township Wharton Township Fayette County | Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 724-438-4497 |
| PAD300012 | Individual NPDES Permit | Issued | CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317 | Center Township Greene County | Greene County Conservation District 22 West High Street Suite 204 Waynesburg, PA 15370 724-852-5278 |
| PAD300018 | Individual NPDES Permit | Issued | Peoples Natural Gas Company, LLC 195 Donohoe Road Greensburg, PA 15601 | Center Township Morris Township Greene County | Greene County Conservation District 22 West High Street Suite 204 Waynesburg, PA 15370 724-852-5278 |
| PAD300012 | Individual NPDES Permit | Issued | CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317 | Center Township Greene County | Greene County Conservation District 22 West High Street Suite 204 Waynesburg, PA 15370 724-852-5278 |
| PAC100251 | PAG-02 General Permit | Issued | The Eagle Ridge Group, LLC 3751 Gibsonia Road Gibsonia, PA 15044 | Cranberry Township Butler County | Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270 |
| PAD150187 A-1 | Major Amendment | Issued | Pennsylvania Turnpike Commission 700 S Eisenhower Blvd Middletown, PA, 17057 | West Nantmeal Township Chester County | Regional Permit Coordination Office (RPCO)—Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 Email: RA-EPREGIONAL PERMIT@pa.gov |

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. 5121503, Public Water Supply.

| | |
|----------------------------|--|
| Applicant | City of Philadelphia 1101 Market Street Philadelphia, PA 19107 |
| Township | City of Philadelphia |
| County | Philadelphia |
| Type of Facility | PWS |
| Consulting Engineer | Arcadis, US, Inc. Charles A. Hauser 1600 Market Street Suite 1810 Philadelphia, PA 19103 |
| Permit to Construct Issued | January 28, 2022 |

Northcentral Region: Safe Drinking Water Program, 208 West Third Street, Williamsport, PA 17701.

Operation Permit No. 4919502MA issued to: **Municipal Authority of the City of Sunbury**, 462 South 4th Street, Sunbury, PA 17801, PWSID No. 4490007, City of Sunbury, **Northumberland County**, on February 2, 2022, for the operation of facilities approved under construction permit # 4919502MA.

This Permit authorizes the authority to operate Filters No. 3 and 4 and to replace multiple valves, actuators, and their appurtenances, turbidimeters and media at the water-filter plant. The authority is also authorized to increase the size of the re-wash drain to 6 inches to handle the backwash water flow.

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 Waterfront Drive, Pittsburgh, PA 15222-4745.

Plan Location:

| <i>Township</i> | <i>Township Address</i> | <i>County</i> |
|------------------|--|---------------|
| Donegal Township | P.O. Box 310 West Alexander, PA 15376 | Washington |

Plan Description:

The approved plan provides for the installation of a Single Residence Sewage Treatment Plant at 24 Fanning Drive, Claysville, PA 15323, to remedy an existing malfunction. The proposed discharge is to an unnamed tributary of Dutch Fork, a 25 Pa. Code Chapter 93-designated High-Quality Warm Water Fishery. This approval was granted in part based on the Department's Water Quality Antidegradation Implementation Guidance policy. The approved sewage facility plan, evaluated all non-discharge alternatives and determined no environmentally sound and cost effective non-discharge alternative is available under subsection (b)(1)(i)(A).

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: Clean Water Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Plan Location:

| <i>Township</i> | <i>Township Address</i> | <i>County</i> |
|------------------|---|---------------|
| Milford Township | 10596 Licking Creek Road Mifflintown, PA 17059 | Juniata |

Plan Description:

The exemption from the requirement to revise the Official Plan for the Esther K. Cramer Estate Subdivision, DEP Code No. A3-34909-129-2E, APS ID 1055826, consisting of one new single-family residential lot to utilize an individual on-lot sewage disposal system, two non-building lots, and three lot additions. The proposed development is located on Cramer Road. This plan is disapproved because it does not qualify as an exemption from the requirement to revise the Official Plan. It does not qualify because the project proposes the use of on-lot sewage disposal system in an area underlain by carbonate geology as per Chapter 71, Section 71.51(b)(1)(ii).

Plan Location:

| <i>Township</i> | <i>Township Address</i> | <i>County</i> |
|----------------------|-------------------------------------|---------------|
| Hamiltonban Township | P.O. Box 526 Fairfield, PA 17320 | Adams |

Plan Description:

The planning module for 335 Swamp Creek Lane (Petrus Holdings), DEP Code No. A3-01918-215-2, APS ID No. 1045294, consisting of a one lot institutional development (monastery) on 16.62 acres with total estimated sewage flows of 2,000 gpd is denied. Shallow limiting zone alternate on-lot sewage disposal systems were proposed to treat the sewage flows. The proposed development is located at 335 Swamp Creek Lane in Hamiltonban Township, Adams County. This plan is denied because information submitted electronically on January 28, 2022 did not adequately address item # 2 in the Department's technical deficiency letter dated November 3, 2021. Specifically, the hydrogeologic study did not provide an examination and analysis of the potential influence of the immediate saturation of the soil above the fragipan on the functionality of the drip micromounds in the stacked arrangement. Stacked micromounds are not a permissible design without review of appropriate data on a case by case basis by the Department. Furthermore, the report failed to demonstrate the addition of effluent would not artificially raise the level of the perched water table above the fragipan downgradient (down-slope) at the location of the next absorption area. The report predicted groundwater mounding to occur in the confined aquifer but did not provide evidence that effluent, preferentially moving horizontally downgradient above the fragipan, would not raise the perched water table level to a depth that would reduce the vertical isolation distance (aerobic soil column beneath the bed) at the downgradient bed and result in improper treatment of effluent resulting in a nuisance or public health hazard.

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.

Wawa Store No. 193, 6001 Harbison Avenue, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. Geoff Kristof, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Joseph Standen Jr., PG, Wawa Inc., 260 West Baltimore Pike, Wawa, PA 19063 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the site-specific standard.

2201 Hunter Road (Proposed Lot A and Proposed Lot C), 2201 Hunter Road, Bristol, PA 19007, Bristol Borough, **Bucks County**. Richard S. Werner, PG, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Seppi Colloredo-Mansfeld, Cabot Properties, Inc., One Beacon Street, Suite 2800, Boston, MA 02108 submitted a Final Report concerning remediation of site soil contaminated with TCL VOCs including 1,2,4- and 1,3,5-trimethylbenzene; TCL SVOCs excluding benzo(a)pyrene; PCBs; pesticides; herbicides; TAL metals including hexavalent chromium, but excluding vanadium and cyanide. The report is intended to document remediation of the site to meet the Statewide health standard.

Westgate Plaza, 309 Lancaster Avenue, Malvern, PA 19355, East Whiteland Township, **Chester County**. Geoff Kristof, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Arne Anderson, Westgate Plaza, LP, 309 Lancaster Avenue, Suite C-3, Malvern, PA 19355 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.

Grill Property, 167 Jacobs Street, Mont Clare, PA 19453, Upper Providence Township, **Montgomery County**. Andrew Markoski, PG, Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464 on behalf of William Grill, 401 High Street, Pottstown, PA 19464 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 4 fuel oil and diesel fuel. The report is intended to document remediation of the site to meet the Statewide health standard.

Chapel Block—The Navy Yard, 1200 & 1260 Normandy Place/125 Constitution Avenue, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. Kate McNamara, PIDC, 1500 Market Street, Suite 3500 West,

Philadelphia, PA 19102 on behalf of Jewelle Kennedy, Ensemble Investments LLC, 444 Ocean Boulevard, Suite 650, Long Beach, CA 90802 submitted a Baseline Investigation Work Plan concerning remediation of site soil and groundwater contaminated with lead, PCBs, heavy metals, pesticides, dioxin, solvents, BTEX, PHCs and PAHs. The report is intended to document remediation of the site under the Special Industrial Area provision.

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

Contact: Eric Supey, Environmental Program Manager.

Carsia Property, 810 East Eleventh Street, Hazleton, PA 18201, Hazleton City, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Suite 3, Wilkes-Barre, PA 18702, on behalf of Michael Carsia, 810 East Eleventh Street, Hazleton, PA 18201, submitted a Final Report concerning remediation of groundwater contaminated by a release of heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide health standards.

S. Warriner Pad 1, 823 Fernheim Road, Montrose, PA 18801, Bridgewater Township, **Susquehanna County**. Folsom Engineering, 117 Roger Hollow Road, Mehoopany, PA 18623, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation following the August 13, 2021 discovery of a release of produced fluid (brine) that impacted soil. The report is intended to document remediation of the site to meet a combination of Background and Statewide health standards.

Southwest Region: Environmental Cleanup & Brownfield Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

BFS Mt. Morris Gulf, Storage Tank Facility ID # **30-31155**, Interstate 79 and Bald Hill Road, Mt. Morris, PA 15349, Perry Township, **Greene County**. Letterle & Associates, Inc., 2859 Oxford Blvd., Allison Park, PA 15101, on behalf of Bruceton Farm Service, Inc., 116 Shannon Drive, Morgantown, WV 26508, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting the Statewide health or background standard.

Former Berlin Auto, LLC, Storage Tank Facility ID # **56-81167**, 3512 Berlin Plank Road, Berlin, PA 15530, Berlin Borough, **Somerset County**. Appalachian Engineering Group, 213 Dale Street, Suite 1, Meyersdale, PA 15552, on behalf of **Berlin Auto, LLC**, 913 Rockdale Road, Rockwood Borough, PA 15557, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide health or background standard.

Former 980 Full-Service Mart, Storage Tank Facility ID # **63-80720**, 222 State Route 980, McDonald, PA 15057, Cecil Township, **Washington County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120-5005, on behalf of Pennsylvania Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17106, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with use oil. The plan is intended to document the remedial actions for meeting the Statewide health standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department 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.

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 Final Report demonstrated attainment of Statewide health standards and was approved by DEP on February 2, 2022.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Scaffold Lick Site, 2.5 miles west of State Route 155, south of Scaffold Lick Road, Liberty Township, **McKean County**. Environmental Resources Management, Inc., 75 Valley Stream Parkway, Suite 200 on behalf of Nassau Metals Corporation, 600 Mountain Avenue, New Providence, NJ 07974 has submitted a Final Report concerning the remediation of site soil contaminated with Bis(2-ethylhexyl)phthalate, Hexachlorobenzene, Phenol, 2-Chlorophenol, 2-Methylphenol, 4-Methylphenol, 2-Nitrophenol, 2,4-Dimethylphenol, 2,4-Dichlorophenol, 4-Chloro-3-methylphenol, 2,4,6-Trichlorophenol, 2,4,5-Trichlorophenol, 2,4-Dinitrophenol, 4-Nitrophenol, 4,6-Dinitro-2-methylphenol, Pentachlorophenol, bis(2-Chloroethyl)ether, 1,3-Dichlorobenzene, 1,4-Dichlorobenzene, 1,2-Dichlorobenzene, bis(2-chloroisopropyl)ether, N-Nitroso-di-n-propylamine, Hexachloroethane, Nitrobenzene, Isophorone, bis(2-Chloroethoxy)methane, 1,2,4-Trichlorobenzene, Naphthalene, 4-Chloroaniline, Hexachlorobutadiene, 2-Methylnaphthalene, Hexachlorocyclopentadiene, 2-Chloronaphthalene, 2-Nitroaniline, Acenaphthylene, 2,6-Dinitrotoluene, Acenaphthene, Dibenzofuran, 2,4-Dinitrotoluene, Diethylphthalate, Fluorene, 4-Nitroaniline, N-Nitrosodiphenylamine, Fluoranthene, Hexachlorobenzene, Phenanthrene, Anthracene, Carbazole, Di-n-butylphthalate, Pyrene, Butylbenzylphthalate, 3,3'-Dichlorobenzidine, Benzo(a)anthracene, Chrysene, bis(2-Ethylhexyl)phthalate, Di-n-octylphthalate, Benzo(b)fluoranthene, Benzo(k)fluoranthene, Benzo(a)pyrene, Indeno(1,2,3-cd)pyrene, Dibenz(a,h)anthracene, Benzo(g,h,i)perylene, Aluminum, Antimony, Barium, Beryllium, Cadmium, Chromium, Cobalt, Copper, Iron, Lead, Manganese, Mercury, Nickel, Selenium, Silver, Thallium, Zinc and site groundwater contaminated with Acetone, Benzene, Bromodichloromethane, Bromoform, Bromomethane, 2-Butanone (MEK), Carbon disulfide, Carbon tetrachloride, Chlorobenzene, Chloroethane, Chloroform, Chloromethane, Dibromochloromethane, 1,1-Dichloroethane, 1,2-Dichloroethane, 1,1-Dichloroethene, cis-1,2-Dichloroethene, trans-1,2-Dichloroethene, 1,2-Dichloropropane, Ethylbenzene, 2-Hexanone, 4-Methyl-2-pentanone(MIBK), Methylene chloride, Styrene, 1,1,2,2-Tetrachloroethane, Tetrachloroethene, Toluene, 1,1,1-Trichloroethane, 1,1,2-Trichloroethane, Trichloroethene, Vinyl chloride, Xylene (total), 2-Chlorophenol, 4-Chloro-3-methyl phenol, 2,4-Dichlorophenol, 2,4-Dimethylphenol, 2,4-Dinitrophenol, 4,6-Dinitro-o-cresol, 2-Methylphenol, 2-Nitrophenol, 4-Nitrophenol, Pentachlorophenol, Phenol, 2,4,5-Trichlorophenol, 2,4,6-Trichlorophenol, Acenaphthene, Acenaphthylene, Anthracene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Benzo(k)fluoranthene, Butyl benzyl phthalate, 2-Chloronaphthalene, 4-Chloroaniline, Carbazole, Chrysene, bis(2-Chloroethoxy)methane, bis(2-Chloroethyl)ether, 2,2'-Oxybis(1-chloropropane), 1,2-Dichlorobenzene, 1,3-Dichlorobenzene, 1,4-Dichlorobenzene, 2,4-Dinitrotoluene, 2,6-Dinitrotoluene, 3,3'-Dichlorobenzidine, Dibenz(a,h)anthracene, Dibenzofuran, Di-n-butyl phthalate, Di-n-octyl phthalate, Diethyl phthalate, bis(2-Ethylhexyl)phthalate, Fluoranthene, Fluorene, Hexachlorobenzene, Hexachlorobutadiene, Hexachlorocyclopentadiene, Hexachloroethane, Indeno(1,2,3-cd)pyrene, Isophorone, 2-Methylnaphthalene, 2-Nitroaniline, 4-Nitroaniline, Naphthalene, Nitrobenzene, N-Nitroso-di-n-propylamine,

N-Nitrosodiphenylamine, Phenanthrene, Pyrene, 1,2,4-Trichlorobenzene, Barium, Beryllium, Cadmium, Chromium, Copper, Lead, Mercury, Selenium, Silver, Thallium, and Zinc. The Final report demonstrated attainment of the Site-Specific and Statewide health standards and was approved by the Department on February 2, 2022.

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

Contact: Charline Bass.

Gibbons Automotive, 600 Park Avenue, Media, PA 19063, Upper Providence Township, **Delaware County**. Val F. Britton, PG, V.F. Britton Group, 326 Conestoga Road, Wayne, PA 19087 on behalf of Michael Gibbons, 600 Park Avenue, Media, PA 19063, submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with benzo(a)pyrene. The Report was reviewed by the Department which issued a technical deficiency letter on January 28, 2022.

Llanerch Shopping Center, 403 West Chester Pike, Havertown, PA 19083, Haverford Township, **Delaware County**. Jason Hanna, Langan Engineering, 2400 Anslys Drive, Canonsburg, PA 15317 on behalf of Jim Bladel, Llanerch Shopping Center, LP, 1301 Lancaster Avenue, Berwyn, PA 19312, submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with chlorinated solvent. The Report was reviewed by the Department which issued a technical deficiency letter on January 28, 2022.

Keystone Trade Center—Lot 27, River Road, Fairless Hills, PA 19067, Falls Township, **Bucks County**. Jeffrey A. Smith, PG, Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103 on behalf of Andy Mace, NP Falls Township Industrial, LLC, 4825 NW 41st Street, Suite 500, Riverside, MO 64150, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with VOCs, SVOCs, PCBs, metals, iron, thallium and vanadium. The Report was reviewed by the Department which issued a technical deficiency letter on January 25, 2022.

The Master's Baker, 319 West Gay Street, West Chester, PA 19380, Borough of West Chester, **Chester County**. Christopher Zeliznak, PG, EnviroSure, Inc., 319 South High Street, West Chester, PA 19382, on behalf of Chad Weldon, CRW Realty, LP, 319 West Gay Street, West Chester, PA 19382, submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with lead and leaded gasoline. The Report was reviewed by the Department which issued a technical deficiency letter on February 1, 2022.

Keystone Place at East Falls, LLC, 3310 Fox Street, a/k/a 2905 Abbottsford Road, Philadelphia, PA 19129, City of Philadelphia, **Philadelphia County**. Craig Herr, PG, RT Environmental Services, Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406, on behalf of Joseph A. Felici, Keystone Place at East Falls, LLC, 930 Henrietta Avenue, Suite B, Huntington Valley, PA 19106-8523, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, isopropyl benzene, naphthalene, MTBE, 1,2,4-trimethylbenzene and 1,3,5-trimethyl-

benzene. The Report was reviewed by the Department which issued a technical deficiency letter on January 27, 2022.

Powel and Auriemma Residences, 445 and 443 Penn Road, Plymouth Meeting, PA 19462, Plymouth Township, **Montgomery County**. Jason Charles, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Penny Dunyan, Worcester Heating and Air Conditioning, 2830 West Main Street, Suite 3, Eagleville, PA 19403, submitted a Final Report concerning the remediation of site soil contaminated with benzene, ethylbenzene, cumene, MTBE, naphthalene, toluene, 1,2,4-TMB, and 1,3,5-TMB. The Report was reviewed by the Department which issued a technical deficiency letter on February 2, 2022.

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 the remediation of site soil contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, MTBE, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on January 31, 2022.

545 North Broad Street, 545 North Broad Street, Philadelphia, PA, 19123, City of Philadelphia, **Philadelphia County**. Natalie Griffith, REPSG, Inc., 6901 Kingessing Avenue, Philadelphia, PA 19142, on behalf of Paul Horos, 545 QOZB LLC, 702 North 3rd Street, Unit 204, Philadelphia, PA 19123, submitted a Final Report concerning the remediation of site soil contaminated with PCBs. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on January 31, 2022.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit 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 Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

General Permit Application No. WMGR096SE013. NorthPoint Falls Township, LLC—Redevelopment at U.S. Steel, KIPC—Phase 1, 4805 Montgomery Road, Suite 310, Cincinnati, OH 45212-2198. This application is for the determination of applicability (DOA) under General Permit No. WMGR096 for the beneficial use of regulated fill material, as defined in Department of Environmental Protection, (DEP) Document No. 258-2182-2773 (Management of Fill) to be used as construction material at the NorthPoint—Redevelopment at U.S. Steel KIPC—Phase 1 Demolition site located in Falls Township, **Bucks County**. The application for determination of applicability was issued by the Southeast Regional Office on January 31, 2022.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental

Protection (DEP) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania Hamilton Relay Service, (800) 654.5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit(s) 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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 301380. Brat Towing & Recovery, Inc., 804 Horner Street, Johnstown, PA 15902. A permit for residual waste processing and transfer at the Brat Tire Facility located at 804 Horner Street, Johnstown, PA 15902, City of Johnstown, **Cambria County**, was issued by the Southwest Regional Office on February 4, 2022.

Persons interested in reviewing the permit may contact the Department of Environmental Protection, Southwest Regional Office, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP9-40-019: New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility, P.O. Box 5059, RM 4W200M, San Ramon, CA 94583, issued on February 2, 2022, for the operation of one 2,200 BHP Detroit diesel-fired engine at their facility in Hanover Township, **Luzerne 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.

GP15-21-03124: ADM Animal Nutrition, 2000 Hummel Avenue, Camp Hill, PA 17011 on February 1, 2022, for an existing animal feed mill operation, under GP15, located in Lower Allen Township, **Cumberland County**. The general permit authorization was renewed.

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.

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

Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.

46-0005BA: Merck, Sharp & Dohme, Corp., 770 Sumneytown Pike, West Point, PA 19486-0004. On February 7, 2022, for the construction of a new Building 63A, which will include a new biological manufacturing process line, construction of good manufacturing practice (GMP) space, and the construction of a 1-megawatt (MW) natural gas-fired non-emergency generator at an existing permitted Title V facility in Upper Gwynedd Township, **Montgomery County**.

23-0222A: William Lombardo Funeral Home, Inc., 33 West Baltimore Avenue, Clifton Heights, PA 19018. On February 1, 2022 for installation of a human cremation unit, manufactured by U.S. Cremation Equipment, rated at 200 lbs/hr, at an existing funeral home in Clifton Heights Borough, **Delaware County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.

PA-65-01128A: Ligonier Stone & Lime Company, Inc., 117 Marcia Street, Latrobe, PA 15650. Plan Approval issuance date effective February 7, 2022, to allow SMT East Surface Mine (Mine Permit # 65210301) for the installation and operation of a stationary stone aggregate processing facility at Derry Township, **Westmoreland 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.

46-0040D: Lux Global Label, Co., 2025 Joshua Road, Lafayette Hill, PA 19444-2431. On February 1, 2022, an extension for temporary shakedown period to evaluate the VOC exhaust to an existing regenerative thermal oxidizer (CO3) in Whitemarsh Township, **Montgomery County**.

46-0027G: Janssen Research and Development, Inc., 1400 McKean Road, Springhouse, PA 19477. On February 7, 2022 an extension for temporary operation and testing of the new SCR system (Source ID C116A) in Lower Gwynedd Township, **Montgomery County**.

46-0026K: Global Pkg, Inc., 209 Brower Avenue, Oaks, PA 19456. On February 7, 2022 an extension to install and operate a solvent based 8-station flexographic printing press (manufactured by W&H, model Novoflex IIL8) and having natural gas dryers. The air emissions will be captured by a permanent total enclosure around the press and will be routed to two existing RTOs (CO3 & CO4) for destruction, in Upper Providence Township, **Montgomery 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.

28-05045: EPP Renewable Energy, LLC, 1605 North Cedar Crest Blvd., Suite 509, Allentown, PA 18104. On February 3, 2022, for the landfill gas-to-energy facility associated with the Blue Ridge Landfill located in Greene Township, **Franklin County**. The Title V permit was renewed.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

48-00068: PA Perlite Corp., 1428 Mauch Chunk Road, Bethlehem, PA 18018. The Department issued, on January 6, 2022, a State-Only Operating Permit for operation of sources at their facility located in Bethlehem City, **Northampton County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

54-00087: D.G. Yuengling & Son, Inc., 310 Mill Creek Ave, Pottsville, PA 17901. The Department issued, on January 6, 2022, a State-Only Operating Permit for operation of sources at their facility located in Pottsville City, **Schuylkill County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

54-00064: USS Achey, Inc., 355 E Second Mountain Road, Schuylkill Haven, PA 17972. The Department issued, on January 13, 2022, a State-Only Operating Permit for operation of sources at their facility located in North Manheim Township, **Schuylkill County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

66-00008: Oxbow Creek Energy, LLC, 6051 Wallace Road, Ext Ste 100, Wexford, PA 15090. The Department issued, on January 13, 2022, a State-Only Operating Permit for operation of sources at their facility located in Nicholson Township, **Wyoming County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00001: On Semiconductor/Fairchild Plant, 125 Crestwood Drive, Mountaintop, PA 18707-2107. On January 31, 2022, the Department issued a renewal State-Only (Natural) Minor operating permit for the Semiconductors and Related Devices facility in Wright Township, **Luzerne County**. The sources consist of boilers and plasma etchs. The control devices consist of carbon

adsorbers and scrubbers. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00127: Acton Tech Inc/Pittston, 100 Thompson Street, Pittston, PA 18640-1437. On January 12, 2022, the Department issued a renewal State-Only (Natural) Minor operating permit for the manufacturing of paper coated and laminated and packaging facility in Jenkins Township, **Luzerne County**. The sources consist of etch film department. The control devices consist of an RTO. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

63-01049: MarkWest Liberty Midstream & Resources, LLC/Smith T Launcher/Receiver Site, 471 Hickory Nut Road, Avella, PA 15312. On February 8, 2022, the Department issued a natural minor State Only Operating Permit for a pipeline maintenance stand-alone facility where pigs are launched or received from the pipelines. The operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at their facility located in Independence Township, **Washington County**.

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

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

25-00955: Foam Fabricators, Inc., 6550 West 26th Street, Erie, PA 16506. On February 1, 2022, the Department issued the renewal State-Only Operating Permit of a facility, which manufactures expandable polystyrene (EPS) bead products, located in Fairview Township, **Erie County**. Permitted air contamination sources at the facility are pre-expanders, molding machines, storage operations, a natural gas-fired boiler, and a degreaser. Subject to a 49.5-TPY VOC restriction to limit VOC emissions below major source threshold, the facility is Synthetic Minor for permitting purposes. In this renewal, a pre-expander that has not been in operation since 2008 is removed as a permitted source. With a combined heat input rating less than 2.5 MMBtu/hr, the space heaters are also removed as a permitted source.

25-00971: Erie Plating Company, 656 West 12th Street, Erie, PA 16501-1509. On February 1, 2022, the Department issued the renewal State Only Natural Minor Operating Permit for the electroplating, plating, polishing, and anodizing facility located in the City of Erie, **Erie County**. The facility's primary emission sources include chromic acid anodizing, chrome and cadmium electroplating, copper/nickel plating, solution tanks, and electroless nickel plating. Other emission sources include the 16.7 mmbtu/hr natural gas-fired boiler, natural gas

space and process heaters, abrasive blasting, dry polishing, a paint booth, and a natural gas-fired emergency generator engine. The potential emissions of the primary pollutants from the facility are as follows: 34.15 TPY (tons per year) NO_x, 6.64 TPY CO, 3.14 TPY VOC, 0.41 TPY total HAPs, 0.001 TPY Chromium, 0.216 TPY Nickel, 0.041 TPY Copper, 57.9 TPY, PM₁₀, 57.6 TPY PM_{2.5}, and 0.047 TPY SO_x; thus, the facility is a natural minor. The chromic acid anodizing tank and chrome plating tanks are subject to 40 CFR 63 Subpart N, NESHAP for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks. The solution tanks, dry polishing, copper/nickel plating tanks, electroless nickel plating tanks, and cadmium plating line are subject to 40 CFR 63 Subpart WWWW, NESHAP for Plating and Polishing Operations Area Sources. The emergency generator engine is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. 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.

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

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EP PottsvilleDMO@pa.gov, (Contact: Theresa Reilly-Flannery).

Permit No. 54960201R5. Northeastern Power Co., P.O. Box 7, McAdoo, PA 18237, renewal for Reclamation Activities Only of an existing anthracite coal refuse reprocessing operation in Kline, Hazle and Banks Townships, **Schuylkill, Luzerne and Carbon Counties**. Receiving stream: Catawissa Creek. Application received: December 23, 2021. Renewal issued: February 4, 2022.

Noncoal Permits Issued

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEW STANTON@pa.gov, (Contact: Tracy Norbert).

Permit No. 65182001 and NPDES No. PA0278483. Hanson Aggregates Pennsylvania, LLC, 2200 Springfield Pike, Connellsville, PA 15425. Permit issued for commencement, operation, and reclamation of a large noncoal underground mining site located in Unity Township, **Westmoreland County**, affecting 507.5 acres. Re-

ceiving stream: unnamed tributary to Ninemile Run, Kiskiminetas River, classified for the following use: WWF. Application received: January 25, 2021. Permit issued: February 7, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EP PottsvilleDMO@pa.gov, (Contact: Theresa Reilly-Flannery).

Permit No. 5777SM4 and NPDES Permit No. PA0034690. Barletta Materials & Construction, Inc., P.O. Box 550, Tamaqua, PA 18252, correction to increase the permitted acres to 199.8 acres and to update the NPDES Permit to reflect that change in Nescopeck Township, **Luzerne County**. Receiving streams: Susquehanna River and unnamed tributary to Susquehanna River. Application received: August 10, 2020. Correction issued: February 4, 2022.

Permit No. 64212501 and NPDES Permit No. PA0226149. Leo's 848 Products, LLC, P.O. Box 277, Lake Como, PA 18437, commencement, operation and restoration of a GP-105 quarry operation and NPDES Permit in Preston Township, **Wayne County**, 10.0 acres. Receiving stream: unnamed tributary to Kinneysville Creek. Application received: January 27, 2021. Permit issued: February 7, 2022.

Permit No. PAM121045. James W. Barber Trucking & Excavation, LLC, P.O. Box 157, Clifford, PA 18413, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on GP105 Permit No. 58122501 in Lenox Township, **Susquehanna County**, receiving stream: Tunkhannock Creek. Application received: August 2, 2021. Coverage issued: February 7, 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

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEW STANTON@pa.gov, (Contact: Tracy Norbert).

Permit No. 02224001. Hilltop Energy Inc., 6978 Lindentree Road, NE, Mineral City, OH 44656. Blasting Activity Permit for construction/demolition at Findlay Industrial Park located in Findlay Township, **Allegheny County**, with an expiration date of August 31, 2022. Permit issued: February 4, 2022.

Permit No. 02225102. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141-2018. Blasting activity permit-by-rule for construction/demolition at Braddock Steel Mill located in Braddock Borough, **Allegheny County**, with an expiration date of December 31, 2022. Permit issued: February 4, 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 publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401. Telephone 484.250.5160. E-mail: ra-epww-sero@pa.gov.

Permit No. E2301220-027, MCB Real Estate, LLC, 2701 North Charles Street, Baltimore, MD 21218, Upper Darby Township, **Delaware County**, ACOE Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with the redevelopment of Drexeline Shopping Center, which will include new building structures, a parking lot and stormwater facilities. The proposed project consists of the installation of two stormwater outfalls in floodway of Darby Creek (TSF, MF), which includes 18,639 sq ft of temporary floodway impacts, 23,988 sq ft of permanent floodway impacts, 14,422 sq ft of temporary floodplain impacts, and 162,840 sq ft of permanent floodplain impacts. The proposed project also includes eight new utility line crossings over the enclosed stream (box culvert) of Collen Brook (WWF, MF) with 527 linear feet of temporary stream impacts and 42 linear feet of permanent stream impacts. There are no wetland impacts.

The site is approximately at 5100 State Road, Drexel Hill, PA (Lansdowne, PA Lat. 39° 56' 43"; Long. -75° 19' 25") in Upper Darby Township, Delaware County. Permit issued January 26, 2022.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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

E3502221-008. Lackawanna Heritage Valley Authority, 213 Railroad Avenue, Scranton, PA 18505, Dickson City Borough, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Lackawanna Heritage Valley Dickson City Trail Extension Project:

1) A stream crossing of Hull Creek (HQ-CWF, MF) consisting of an 8-ft wide, 28.5-ft span, pre-stressed concrete slab pedestrian walking bridge.

2) A fill within the floodway of the Lackawanna River (HQ-CWF, MF) consisting of a 20-ft long, 8-ft wide portion of an at-grade asphalt walking trail. This impact will result in a 12.63 yd³ net increase in fill.

3) A fill within the floodway of the Lackawanna River (HQ-CWF, MF) consisting of a 10-ft long, 8-ft wide portion of an at-grade asphalt walking trail. This impact will result in a 0.01 yd³ net increase in fill.

The project is located directly south of 1716 Main Street, approximately 300-ft southwest of the intersection of W. Lackawanna Avenue and Main Street (Olyphant, PA Quadrangle Latitude: 41° 28' 14.2"; Longitude: -75° 36' 25.7") in Dickson City Borough, Lackawanna County.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

E6703221-002. East Manchester Township, 5080 North Sherman Street Extended, Mount Wolf, PA 17347, East Manchester Township, **York County**, ACOE Baltimore District.

To remove the existing structure and to install and maintain a 64.3-foot long 42.0-inch by 84.0-inch box culvert, uniformly depressed 18.0-inches with 18.0-inch fish baffles, in an unnamed tributary to Little Conewago Creek (TSF, MF), temporarily impacting 0.01 acre of emergent wetland and permanently impacting 0.01 acre of emergent wetland, all for the purpose of making roadway improvements. The project is located along SR1021 (Locust Point Road) in East Manchester Township, York County (Latitude: 40.0617; Longitude: -76.7452). Wetland impacts are considered de minimus and compensatory wetland mitigation is not required. The permit was issued on February 8, 2022.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Dana Drake.

E6305221-006, Alex E. Paris Contracting Company, Inc., 1595 Smith Township State Road, Atlasburg, PA, 15004, Smith Township, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

Construct, operate, and maintain a 42.5-foot long by 13-foot wide prefabricated steel bridge and under clearance of 14.87-feet supported by pre-cast concrete block abutments and wingwalls over Burgetts Fork (WWF); and Construct and maintain a 25-foot wide by 62-foot long bench within the floodway of Burgetts Fork (WWF).

For the purpose of creating a new access point for between two storage yards separated by Burgetts Fork. The project will permanently impact 75 feet of Burgetts Fork, temporarily impact 107 feet of Burgetts Fork, and permanently impact 0.07 acre and temporarily impact 0.12 acre of floodway.

The project site is located at 1595 Smith Township State Road, Atlasburg, PA 15004, (Avella, PA USGS topographic quadrangle; N 40° 20' 13.95"; W -80° 22' 44.42"; Sub-basin 20D; USACE Pittsburgh District), in Smith Township, Washington County.

E6505221-005, Ed's Auto Service, LLC, 5419 Old William Penn Highway, Export, PA 15632, Murrysville Borough, **Westmoreland County**, Pittsburgh ACOE District.

Has been given consent to:

Operate and maintain fill within 0.27 acre of PEM wetlands for the purpose of providing usable property for an auto service garage. Permanent wetland impacts will be mitigated through the purchase of 0.54 acre of wetland mitigation credits from the Shrader Hollow Mitigation Bank within the Youghiogheny River Sub-basin 19.

The project site is located at 5419 Old William Penn Highway, Export, PA 15632, (Murrysville, PA USGS topographic quadrangle; N: 40°, 25', 16.032"; W: -79°, 38', 29.698"; Sub-basin 19A; USACE Pittsburgh District), in Murrysville Borough, Westmoreland County.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

EA3603221-002. Henry Lapp, 223 Refton Road, New Providence, PA 17560-9724, Providence and Strasburg Townships, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a stream restoration project along 2,700 feet of Big Beaver Creek (TSF, MF) including 1.) the construction and maintenance of 17 rock vanes; 2.) the construction and maintenance of 17 mud sills totaling 865 feet in length; 3.) the installation and maintenance of eight random boulder clusters; 4.) the construction and maintenance of five zig zag rock wall totaling 395 feet in length; 5.) the grading and maintenance of 1,875 feet of streambank; and 6.) the placement and maintenance of two channel blocks. The project is located approximately 0.48 mile east of the intersection of Krantz Mill Road and Refton Road (Latitude: 39.9375° N, Longitude 76.2175° W) in Providence and Strasburg Townships, Lancaster County. No wetlands will be impacted by this project.

EA3603221-003. Simeon Esh, 733 Nottingham Road, Peach Bottom, PA 17563-9788, Fulton Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a stream restoration project along 3,180 feet of Conowingo Creek (CWF, MF) including 1.) the construction and maintenance of 8 rock cross vanes; 2.) the installation and maintenance of 170 feet of toe wood; 3.) the construction and maintenance of nine mud sills totaling 1,265 feet in length; 4.) the installation and maintenance of eight random boulder clusters; 5.) the construction and maintenance of eleven rock/log vanes; 6.) the construction and maintenance of five rock outlets; 7.) the construction and maintenance of three j-hook rock vanes; 8.) the installation and maintenance of 3 livestock crossings; 9.) the construction and maintenance of five zig zag rock walls totaling 195 feet in length; 10.) the grading and maintenance of 3,965 feet of streambank; and 11.) the placement and maintenance of two channel blocks, all for the purposes of reducing streambank erosion and

enhancing instream habitat. The project is located approximately 0.50 mile east of the intersection of Nottingham Road and Robert Fulton Highway (Latitude: 39° 46' 13"N, Longitude 76° 10' 15"W) in Fulton Township, Lancaster County. No wetlands will be impacted by this project.

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.

Southwest District: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.

ESCGP-3 # ESG076521008-00
 Applicant Name Hyperion Midstream, LLC
 Contact Person Brian Dillemath
 Address 501 Technology Drive Suite 1200
 City, State, Zip Canonsburg, PA 15317
 County Westmoreland
 Township(s) Upper Burrell
 Receiving Stream(s) and Classification(s) UNTs to 25399 Pucketa Creek (TSF), UNTs to 16362 Pine Run (WWF); 25399 Pucketa Creek (TSF), 7634 Kiskiminetas River (WWF)

ESCGP-3 # ESG073021010-00
 Applicant Name EQM Gathering OPCO, LLC
 Contact Person Erin DeBias
 Address 2200 Energy Drive
 City, State, Zip Canonsburg, PA 15317
 County Greene
 Township(s) Perry, Wayne, Whiteley
 Receiving Stream(s) and Classification(s) Tributary 41576 to Rudolf Run (WWF), Tributary 41581 to Rudolf Run (WWF), Rudolf Run (WWF); Dunkard Creek (WWF)

ESCGP-3 # ESG070421007-00/Liberato Pad A ESCGP-Expedited
 Applicant Name Geopetro, LLC
 Contact Person Andrew Stafford
 Address 7100 North High Street Suite 303
 City, State, Zip Worthington, OH 43085
 County Beaver
 Township(s) Ohioville Borough
 Receiving Stream(s) and Classification(s) Wolf Run—WWF Ohio River—WWF

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

| <i>SSIP Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Tank Type</i> | <i>Tank Capacity</i> |
|------------------------|---|---------------|---------------------|-----------------------------------|----------------------|
| 22-65-012 | Cleveland Cliffs Monessen Coke, LLC 345 Donner Avenue Monessen, PA 15062 Attn: Randy Shelton | Westmoreland | City of Monessen | 1 AST storing hazardous substance | 222,000 gallons |

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

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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.

7 Eleven 40142, 51-30575, 2201 Walnut St., Philadelphia, PA 19103, **City of Philadelphia**. Groundwater and Environmental Services, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

Avon Grove Citgo, 15-42312, 525 Gap Newport Pike, Avondale, PA 19311, London Grove Township, **Chester County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Mark Properties, LLC, 525 Gap Newport Pike, Avondale, PA 19311, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site-specific standards.

Top Star 4, 09-40038, 2030 John Fries Hwy., Quakertown PA 19311, Milford Township, **Bucks County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of TopStar Inc., 14 East Main Street, Emmaus, PA 18049, 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 residential Statewide health standards.

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

Contact: Eric Supey, Environmental Program Manager.

AI's Quick Stop PA0022 Dunmore, Storage Tank ID # 35-01861, 1220 Wheeler Avenue, Dunmore, PA 18512, Dunmore Borough, **Lackawanna County**. Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Dunne Manning Realty LP, 645 Hamilton Street, Suite 500, Allentown, PA 18101, submitted a Remedial Action Completion Report concerning

remediation of soil contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide standards.

A1 Gas Mini Mart, Storage Tank ID # 39-40896, 1247 West Turner Street, Allentown, PA 18102, Allentown City, **Lehigh County**. Center Point Tank Services, 536 East Benjamin Franklin Highway, Douglassville, PA 19518, on behalf of Moobi and Qasim Corporation, 1247 West Turner Street, Allentown, PA 18102, submitted a Remedial Action Completion Report concerning remediation of soil contaminated with gasoline. The report is intended to document the remedial actions for meeting the site-specific standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Gregory Bowman, Environmental Group Manager.

Mactown Pizza Plus, Storage Tank Facility ID # 31-61600, 11249 Raystown Road, Huntingdon, PA 16652-9604, Walker Township, **Huntingdon County**. P. Joseph Lehman, Inc., P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Mr. Salvatore Scaccia, 11249 Raystown Road, Huntingdon, PA 16652-9604 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The plan is intended to document remediation of the site to meet the site-specific standard.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

Country Fair 3, Storage Tank Facility ID # 25-91608, 347 E 12th Street, Erie, PA 16503, City of Erie, **Erie County**. Atlas Technical Consultants, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Country Fair, Inc., 2251 E. 30th Street, Erie, PA 16510, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide health standard.

Luke's Auto Service Center, Storage Tank Facility ID # 33-22893, Route 219 Crenshaw, R.R. 3, Box 66, Brockway, PA 15824, Snyder Township, **Jefferson County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Louise Luke, 3312 Route 219 Crenshaw, Brockway, PA 15824, submitted a Revised Remedial Action Plan concerning remediation of groundwater and soil contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting the Statewide health standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construc-

tion details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Sunoco 0004 7522, 23-30279, 1491 N. Providence Road, Media, PA 19063, Upper Providence Township, **Delaware County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report was acceptable to meet nonresidential Statewide health standards and was approved by the Department on February 8, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

8523 Hensingersville Road Property, Storage Tank ID # 39-97898, 8523 Hensingersville Road, Alburdis, PA 18011, Lower Macungie Township, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of 8523 Hensingersville Road, LLC, 4528 Reservoir Hill Road, Macungie, PA 18062, submitted a revised, combined Site Characterization Report, Remedial Action Plan, and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report demonstrated attainment of Statewide health standards and was approved by DEP on February 7, 2022.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Cherie Campbell, Soil Scientist.

Carroll Fuel East Main Street, Storage Tank Facility ID # 36-22675, 905 East Main Street, Mount Joy, PA 17552-9331, Mount Joy Borough, **Lancaster County**. Atlas Technical Consultants, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Speedway, LLC, P.O. Box 1500, Springfield, OH 45501, submitted a Remedial Action Completion Report concerning remediation of groundwater and soil contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the Site-Specific and Statewide health standards and was approved by DEP on February 4, 2022.

SPECIAL NOTICES

WASTE MANAGEMENT

Requests Proposals for Municipal Solid Waste Disposal/Processing Capacity Indiana County Solid Waste Authority on Behalf of The Indiana County Board of Commissioners, Indiana, PA.

The **Indiana County Solid Waste Authority** is hereby soliciting proposals for disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County for a period covering the years from 2022 through 2031. The Request for Proposals (RFP) is being issued in accordance with Pennsylvania Code Title 25, Environmental Protection, Chapter 272.225 Municipal Waste Planning Recycling and Waste Reduction (as amended December 22, 2000).

The RFP will be available electronically from Michele Nestor, Nestor Resources, Inc., consultant to Indiana County Solid Waste Authority, on or after Monday, February 14, 2022. Include the words Indiana RFP Capacity in the header of the request.

The Indiana County Solid Waste Authority will receive sealed proposals until 12 p.m., prevailing time on Thursday, March 31, 2022. Proposals must be made on the Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. The Proposer is required to submit two (2) original printed copies of the Proposal and one (1) separate electronic media, (Flash Drive) each with a copy of the proposal in MS Word or PDF format. Envelopes containing the proposals must be sealed and clearly labeled to show the name and address of the Proposer, the statement "Proposal Disposal Capacity" and be addressed to: Indiana County Solid Waste Authority, 1715 Route 119 South, Homer City, PA 15748, Attention: Mr. Timothy Long, Director. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals.

The Indiana County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

[Pa.B. Doc. No. 22-273. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 03(1109)101.1, Abandoned Mine Reclamation Project, Brownstown East, Kiskiminetas Township, Armstrong County. The principal items of work and approximate quantities include: mobilization and demobilization, 1 lump sum; gas facility protection, 1 lump sum; preparation and implementation of the erosion and sediment pollution control plan, 1 lump sum; clearing and grubbing, 1 lump sum; demolition, removal and disposal of mine structures, 1 lump sum; sealing mine entries, 5 each; sealing mine entries—8" diameter SDR-35 PVC pipe, 200 linear feet; and seeding, 1 lump sum.

This bid issues on February 11, 2022, and bids will be opened on March 10, 2022, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-274. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Coal Mining Operations

The Department of Environmental Protection (Department) announces the 2022 land reclamation bond rate guidelines for anthracite and bituminous coal mining operations. These rates become effective April 1, 2022. The authority for bonding coal mining operations is found under the Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66) and the regulations promulgated thereunder at 25 Pa. Code Chapter 86, Subchapter F (relating to bonding and insurance requirements).

The unit costs listed in these guidelines will be used in calculating the land reclamation bonds for surface coal mining operations including, surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities and the surface facilities of underground mining operations.

The procedures for calculating land reclamation bonds are described in Technical Guidance Document 563-2504-001, "Conventional Bonding for Land Reclamation—Coal," which is available online at www.elibrary.dep.state.pa.us (select "Technical Guidance Final Documents," then "Mining Programs"). The Department calculated the rate of inflation using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2017—2021, resulting in a rate of 2.16%. This rate of inflation will be used in calculating bond amounts for permit renewal or permit midterm bond liability reviews on or after April 1, 2022.

The Department may review the adequacy of bonds on existing permits based on the bond rate guidelines at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

These bond rate guidelines do not apply to bonds ensuring replacement of water supplies under section 3.1(c) of the Surface Mining Conservation and Reclamation Act (52 P.S. § 1396.3a(c)) or to bonds ensuring compliance with the requirements of The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

General Methodology

The Department developed the bond rate guidelines for 2022 from the unit costs for competitively bid contracts for abandoned mine reclamation projects using the lowest total bid for each contract. Contract bid data is available for various unit operations needed to complete reclamation of a mine site for the years 1998—2021. For most categories, a 3-year (2019—2021) average was used to calculate the guidelines. Some categories require another approach due to limited data. For example, there were no contracts in 2014—2021 that included selective grading. Therefore, a multiyear average of available data prior to 2014 was used for the 2022 selective grading bond rate.

The Department will use the weighted average of the lowest total bid contract for the previous 3 years for the 2022 bond rate guidelines.

If a unit operation necessary to calculate a reclamation bond is not listed in Tables 1 or 2, then additional cost information available may be used. Unit costs (such as haulage over 1 mile for grading) may be calculated using a standard reference like the most recent edition of *Means Building Construction Cost Data* or the most recent version of the Office of Surface Mining *Handbook for Calculation of Reclamation Bond Amounts*. Specific unit costs may be adjusted using information provided by other stakeholders including permittee provided reclamation cost estimates which include supporting calculations such as prevailing wage costs, installation costs and the like.

The fees associated with the Land Maintenance Bond Program are presented in Table 3. There has been no change in these rates for 2022.

The bond rate guidelines are available online at www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Bonding/Pages/BondRates.aspx. For background information and supporting documentation regarding bonding rate guidelines, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

Mine Sealing Costs

The mine sealing bond rate guidelines are presented in Table 2.

Effective Date

The bond rate guidelines in this notice become effective April 1, 2022.

Table 1
Standard Bond Rate Guidelines for Year 2022

| <i>Unit Operation</i> | <i>Unit Measure</i> | <i>Unit Costs (\$)</i> |
|---|--|---|
| Mobilization/Demobilization | Job | 4% of Direct Costs or \$40,000, Whichever is Less |
| Grading (< 500-foot push) | Cubic Yard | 0.90 |
| Load/Haul/Dump/Grading (³ 500 feet) | Cubic Yard | 1.80 |
| Load/Haul/Dump/Grading (1,000 feet up to 1 mile) Underground and Refuse Only | Cubic Yard | 2.50 |
| Load/Haul/Dump/Grading (> 1 mile) Underground and Refuse Only | Cubic Yard | Use Standard References |
| Selective Grading | Acre | 1,700 |
| Revegetation | Acre | 2,500 |
| Tree Planting | Tree | 0.75 |
| Ditch Excavation | Cubic Yard | 5 |
| Jute Matting | Square Yard | 3 |
| High Velocity Erosion Control | Square Yard | 2 |
| AASHTO No. 1 | Ton | 35 |
| AASHTO No. 57 | Ton | 35 |
| R3 Rock Lining | Square Yard | 35 |
| R4 Rock Lining | Square Yard | 34 |
| R5 Rock Lining | Square Yard | 35 |
| Geotextile/Filter Fabric | Square Yard | 2.40 |
| Subsurface Drain | Lineal Foot | 24 |
| Erosion and Sedimentation Control (Temporary Installation) | Job | Lump Sum (5% of Direct Costs for Site) |
| Pond Removal Active Phase ¹ | Pond | 3,800 |
| Stage 3 Maintenance Bond Non-Cropland Areas (Land Uses Where Crop Yields Are Not Required) | Acre | 100 |
| Stage 3 Maintenance Bond Cropland (Not Row Crops) Pastureland or Land Occasional Cut for Hay (Excludes Seed Cost) | Acre | 500 |
| Stage 3 Maintenance Bond Cropland Area-Row Crops (Includes Seed Cost) | Acre | 900 |
| Stage 3 Mobilization | Job | 2,500 |
| Pond Removal—Stage 3 | Cubic Yards (Embankment Volume) Plus Top Soiling and Revegetation Cost | Use <500 Grading for Pond Embankment Volume Plus Top Soiling and Revegetation Cost for the Area Disturbed |
| Ditch Removal—Stage 3 | Lineal Foot | 0.75 |
| Equipment Tire Removal and Disposal | Tire | 300 |
| Structure Demolition | Costs will be Calculated Using Costs Listed in the Construction Industry's Latest Annual Cost Publications, such as <i>Means Building Construction Cost Data</i> | |

Table 2
Mine Sealing Bond Rate Guidelines for Year 2022

| <i>Sealing Bituminous Underground Mine Drift and Slope Openings</i> | | |
|---|---------------------|------------------------|
| <i>Unit Operation</i> | <i>Unit Measure</i> | <i>Unit Costs (\$)</i> |
| Concrete Work | Cubic Yard | 114 |
| Masonry Work | Square Foot | 16.50 |
| Fill Material and Earthwork ² | Cubic Yard | 19 |
| Security Fencing | Lineal Foot | 32.50 |
| Mobilization Cost | Job | 4% of Total Amount |

| <i>Sealing Bituminous Underground Mine Shaft Openings</i> | | |
|---|-------------|--------------------|
| Concrete Material | Cubic Yard | 110 |
| Aggregate Material | Cubic Yard | 32.50 |
| Fill material and Earthwork ² | Cubic Yard | 8.50 |
| Security Fencing | Lineal Foot | 32.50 |
| Mobilization Cost | Job | 4% of Total Amount |

| <i>Sealing Boreholes at Bituminous Underground Mines</i> | | |
|--|-----------------------------------|---------------------------------------|
| <i>Dimension</i> | <i>Minimum Cost Per Hole (\$)</i> | <i>Unit Cost (\$) Per Lineal Foot</i> |
| 12 Inch or Less Diameter | 1,850 | 6.50 |
| Larger than 12 Inch Diameter | 2,450 | 9 |

¹ Unit cost not from BAMR bids; includes dewatering, grading, topsoil placement and revegetation.

² Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publication, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

Table 3
Land Maintenance Financial Guarantee Fees for Year 2022

| <i>Fee Category</i> | <i>Fee (\$)</i> |
|---------------------|-----------------|
| Publication | 1,000 |
| Administrative | 300 |

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-275. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Noncoal Mining Operations

The Department of Environmental Protection (Department) announces the bond schedule for noncoal mining operations. The authority for bonding noncoal mining operations is found under the Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapter 77, Subchapter D (relating to bonding and insurance requirements). The rates listed in this schedule will be used in calculating the bonds for surface noncoal

mining operations including surface mines and facilities and the surface facilities of underground mining operations. Other activities, including special revegetation plans, wetland mitigation or stream channel restoration, will be estimated on a case-by-case basis.

Under 25 Pa. Code § 77.202 (relating to determination of bond amount), the Department is providing notice of the bond schedule for bonding noncoal surface mine sites.

The bond schedule reflects the requirement that the amount of bond shall be the estimated cost to the Department if it had to complete the reclamation, restoration and abatement work under the Noncoal Surface Mining Conservation and Reclamation Act. The rates will become effective upon publication and will remain in effect until they are revised through a subsequent notice.

The bond rate schedules are available online at www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Bonding/Pages/default.aspx. For background in-

formation and supporting documentation regarding bonding rate schedules, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

General Methodology

The basic approach to bonding large noncoal sites is to apply a flat per-acre rate (to cover minor grading and revegetation) and supplement that with bond to account for spoil storage, backfilling, highwall blasting, demolition or other site-specific costs. For mine sites where consolidated material is mined below the water table, the reclamation bond calculation must account for reclamation slopes to a depth of 50 feet below the anticipated postmining water level.

For sites that can be mined in lateral phases, the operator can choose to bond the permit area by phase. The operator must identify the portion of the permit area on which mining and reclamation activities will occur within the phase. The Department will calculate the bond liability based on the maximum portion of the permitted area that the permittee is authorized to disturb at any specific time. This area is described in the permittee's mining and reclamation plans and must include all the land affected by mining activities that is not planted, growing and stabilized.

Per-Acre Rates—Applicable to Disturbed (Not Reclaimed) Area

\$3,500 per acre for mining area (This rate includes select grading and revegetation.)

\$1,830 per acre for support areas (This rate includes revegetation.)

Spoil Storage/Earthmoving

The rate of \$1.05 (cost per cubic yard) for grading applies to spoil stored or other additional earthmoving (for example, backfilling for contour mines, subsoil replacement where more than 12 inches of soil is needed to meet post-mining land use or topsoil placement).

Blasting to Achieve the Reclamation Slope

The following rates apply to highwalls where blasting is necessary to achieve the final slope. Blaster's estimates may be used instead of these rates.

Table 1

Highwall/Bench Height (Feet) Cost Per Linear Foot of Highwall/Bench

| | |
|-------------|------|
| Up to 20 | \$10 |
| 21 up to 30 | \$20 |
| 31 up to 40 | \$40 |
| 41 up to 50 | \$55 |
| >50 | \$75 |

Mine Sealing

Mine sealing costs should be calculated using the Bond Rate Schedule in Table 2.

**Table 2
Mine Sealing Bond Rate Schedule¹**

| <i>Sealing Underground Mine Drift and Slope Openings</i> | | |
|--|---------------------|------------------------|
| <i>Unit Operation</i> | <i>Unit Measure</i> | <i>Unit Costs (\$)</i> |
| Concrete Work | Cubic Yard | 114 |
| Masonry Work | Square Foot | 16.50 |
| Fill Material and Earthwork | Cubic Yard | 19 |
| Security Fencing | Lineal Foot | 32.50 |
| Mobilization Cost | Job | 4% of Total Amount |

| <i>Sealing Underground Mine Shaft Openings</i> | | |
|--|---------------------|------------------------|
| <i>Unit Operation</i> | <i>Unit Measure</i> | <i>Unit Costs (\$)</i> |
| Concrete Material | Cubic Yard | 110 |
| Aggregate Material | Cubic Yard | 32.50 |
| Fill Material and Earthwork | Cubic Yard | 8.50 |
| Security Fencing | Lineal Foot | 32.50 |
| Mobilization Cost | Job | 4% of Total Amount |

| <i>Sealing Boreholes at Underground Mines</i> | | |
|---|-----------------------------------|---------------------------------------|
| <i>Dimension</i> | <i>Minimum Cost Per Hole (\$)</i> | <i>Unit Cost (\$) Per Lineal Foot</i> |
| 12-Inch or Less Diameter | 1,850 | 6.50 |
| Larger than 12-Inch Diameter | 2,450 | 9 |
| Mobilization Cost | Job | 4% of Total Amount |

¹ Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publication, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

Other Items

A flat rate of \$3,800 will be used for each pond requiring reclamation. This rate includes dewatering, grading, topsoil replacement and revegetation.

Large equipment tires remaining at a site will be bonded at \$300 per tire.

Available cost information will be used in the event that a unit operation necessary to calculate a reclamation bond is not listed in the schedule. If enough data is not available, the rate will be set from a standard reference like *Means Building Construction Cost Data* or *Walker's Building Estimator's Reference Book*.

Structure demolition costs for structures that are not compatible with the post-mining land use will be calculated using these references. Structures that have reasonable post-mining uses do not require bonding.

Mobilization

Add 4% of the amount, up to \$40,000, for mobilization costs.

Large Noncoal—Unconsolidated Material

Mining of unconsolidated material includes sites where the mining is above and below groundwater. The cost of reclamation for these two types of mining include selective grading to achieve the reclamation slopes and the safety bench around the water impoundment to meet the requirements of 25 Pa. Code § 77.594 (relating to final slopes).

The cost to grade the highwall to the approved reclamation slope above the groundwater table will be calculated based on the area of the highwall (determined by the length of highwall to be reclaimed multiplied by the horizontal width of the reclamation slope) to be reclaimed and the height of the highwall. The Department will use the following rates for bonding permits mining unconsolidated material:

- \$1,700 per acre for mining up to 35 feet
- \$2,400 per acre for 36 to 65 feet
- \$5,000 per acre over 65 feet

The cost to establish the safety bench on water impoundments will be calculated based on the area around the perimeter of the impoundment multiplied by the width of the safety bench. The Department will use \$1,700 per acre for bonding the safety bench.

The Department will use the Bond Rate Schedule for spoil, storage and earthmoving (cost per cubic yard) for sites that will use unmarketable material to achieve the reclamation contours on unconsolidated material mine sites.

*Small Noncoal Sites**Category 1: Small Noncoal Permits—Affected Area is 1 Acre or Less*

For all small noncoal permits with 1 acre or less affected at any time, the bond amount is \$1,500 (one acre affected) and an additional \$2,500 for mobilization/demobilization, for a total of \$4,000. These permits meet the 25 Pa. Code § 77.108(e)(4) (relating to permit for small noncoal operations) standard for concurrent reclamation with no more than 1 acre affected at any time.

Category 2: Small Noncoal Permits with Greater than 1 Acre Affected—Consolidated Material

For small noncoal permits with greater than 1 acre affected at any time, the following rates* apply:

- \$1,830 per acre for support
- \$3,000 per acre for mining up to 35 feet total depth
- \$4,000 per acre for 36 to 65 feet total depth
- \$5,000 per acre over 65 feet total depth

* These rates assume the highwalls will be blasted for reclamation. Costs for backfilling may be applicable to some sites for which the "Spoil Storage/Earthmoving" rate for noncoal operations will apply.

An additional \$2,500 for mobilization/demobilization must be included.

Category 3: Small Noncoal Permits with Greater than 1 Acre Affected—Unconsolidated Material

For sand and gravel pits and topsoil mines where the operator has received Department approval for mineral extraction over 1 acre, as specified in 25 Pa. Code § 77.108(e)(4), a flat rate of \$3,500 per acre should be used.

Category 1 and 2 rates apply to the General Permit for Bluestone (GP-105). Acreage to be rounded up to the nearest whole acre for all calculations.

Effective Date: February 19, 2022

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-276. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mining and Reclamation Advisory Board; Regulation, Legislation and Technical Committee Meeting

The Regulation, Legislation and Technical Committee of the Mining and Reclamation Advisory Board (Board) will meet on Thursday, February 24, 2022, at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining," then "Mining and Reclamation Advisory Board," then "2022").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each

meeting. Questions concerning the February 24, 2022, meeting can be directed to Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 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.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-277. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Nutrient Credit Trading Program Actions; Certification Amendment Request Approval

The Department of Environmental Protection (Department) has approved the following request for an amendment to certification of pollutant reduction activities to generate nitrogen (N) and phosphorus (P) credits under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed). Proposed pollutant reduction activities include the following agriculture best management practices: conservation tillage (CT), continuous no-till planting methods (CNT) and planting cover crops (CC). This certification amendment request approval authorizes the generation of N and P credits for use by facilities with National Pollutant Discharge Elimination System permits in the compliance year in which the credits are generated. This amendment approval is valid under the same term as the previous certification, provided the pollution reduction activities are implemented, maintained and verified in accordance with the plan contained in the approved certification amendment request.

| <i>Applicant/Consultant</i> | <i>Generator/Source</i> | <i>Pollutant Reduction Activity</i> | <i>N Credits</i> | <i>P Credits</i> | <i>Original Certification Date</i> | <i>Public Comment Notice Date</i> | <i>Amendment Certification Date</i> | <i>Certification Expiration</i> |
|---------------------------------------|------------------------------------|-------------------------------------|------------------|------------------|------------------------------------|-----------------------------------|-------------------------------------|---------------------------------|
| Lycoming County Conservation District | Lost Brook Farm (formerly Jarrett) | CT, CNT, CC | 6,340 | 0 | July 29, 2016 | September 26, 2020 | November 9, 2020 | September 30, 2021 |

Persons aggrieved by this action may appeal the 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) to the Environmental Hearing Board, Rachel Carson State Office Building, Second Floor, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457.

TDD users may contact the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A notice of appeal form and the Board’s rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at (717) 787-3483. The notice of appeal form and the Board’s rules are also available in Braille and on audiotape from the Secretary to the Board.

Important legal rights are at stake. 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. A lawyer is not needed to file a notice of appeal with the Board.

For individuals who wish to challenge this action, appeals must be filed with and received by the Board within 30 days of receipt of notice of this action.

For further information about this action or the Nutrient Credit Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-6744, RA-EPPANutrientTrad@pa.gov or visit the Department’s web site at www.dep.pa.gov/nutrient_trading.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-278. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Small Business Compliance Advisory Committee Meeting Rescheduled

The Small Business Compliance Advisory Committee (Committee) meeting scheduled for Thursday, July 28, 2022, has been rescheduled to Wednesday, August 24,

2022. The meeting will begin at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Lucas Hershey at luchershey@pa.gov or (717) 787-7019.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available

on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Air," then "Small Business Compliance Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the August 24, 2022, meeting can be directed to Lucas Hershey at luchershney@pa.gov or (717) 787-7019.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-9702 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.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-279. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Solid Waste Advisory Committee Meeting Cancellation

The March 9, 2022, meeting of the Solid Waste Advisory Committee (Committee) is cancelled. The next regular meeting of the Committee is scheduled for Tuesday, June 14, 2022. The meeting will begin at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Waste," then "Solid Waste Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the June 14, 2022, meeting can be directed to Laura Henry at lahenry@pa.gov or (717) 772-5713.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2360 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.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-280. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Exempt Machinery and Equipment Steel Products

The following is a list of exempt machinery and equipment steel products authorized under section 4(b) of the Steel Products Procurement Act (73 P.S. § 1884(b)). There is a 30-day comment period beginning on the date of this publication during which the public may submit comments in writing, as to the domestic availability of a steel product on the list, to the Deputy Secretary for Public Works, Department of General Services, 1800 Herr Street, Harrisburg, PA 17125, ra-steel@pa.gov. The comments must be supported with a mill certification indicating that the steel was melted in the United States of America or an executed Steel Origin Certification form (found on the Department of General Services web site at www.dgs.pa.gov) indicating the disputed product is produced domestically. See 4 Pa. Code Chapter 67a (relating to steel products procurement—statement of policy). This list for 2022 contains no new steel products but it does contain one steel product that was inadvertently omitted from the 2020 and 2021 Exempt Machinery and Equipment Steel Products lists.

Exempt Machinery and Equipment Steel Products

Air Conditioning Units
Air Duct Housing with Sample Tubes
Air Handling Units
Anchor Bolt
Audio RA Station
Annunciator Panel
AV Rack Kit
Back Box
Backflow Preventer
Battery Cabinet
Blank Filler Plate for Fiber
Blank Metal Door
Blank Plate for Outer Door
Bottom Dead Front Panel
Bridge for Cameras
Butterfly Valves
Cabinet
Cardcage
Cast Steel Gate Valve
CCTV Power Supply
Ceiling Flange
Central Control Unit
Centrifugal Pumps
Channel Video
Circulating Pump
Closers
Color Monitor
Combination Round Head Steel Zinc-Plated Toggle Bolts
Condensing Boilers (inadvertently omitted previously)
Conduit Fittings
Control Module Plate
Control Panel
Control Valve
Data Converter Unit
Deck Inserts

| | |
|---|-----------------------------------|
| Deck and Rub Rail Fasteners | Manual Pull Station |
| Dielectric Nipples | Med. Enclosure |
| Digital Communicators | Middle Dead Front |
| Digital Record | Mini-Interface Module |
| Door Protection | Monitor Mount |
| Door Trim/Handles | Monitor Wall Brk |
| Drinking Fountain | Mounting Plate |
| Drip Pan ELL | Network Fiber Switch |
| Drop-In Anchors | Overhead Door |
| Dry Tape Transformer | Overhead Stops |
| Drywall Screws | Patient Wandering Alarm |
| Dual Interface Module | Pipe Clamps |
| Duct Detector with Relay | Pivots |
| Duct Housing | Power Supply |
| Ductless Split System | Pull Station Box |
| DVR Rack | RA Annunciator Pnl |
| Electric Traction Elevators | Rack Mount Card Cage |
| Electric Water Cooler | Rack Mount Kit |
| Elevator Controller | Radiant Panels |
| Elevator Hoistway | Reader Interface |
| Encl. for Annunciator | Relay Module |
| Exit Devices | Remote Chiller |
| Exp Cage | Round Head Machine Screw |
| Fence System Nuts and Bolts | Safety Relief Valve |
| Fire Alarm NAC Extender | Sampling Tube |
| Fire Alarm Peripherals | Screw Air Compressor |
| Fixed Door Station | Security Panel |
| Flexible Drops | Security Unit |
| Full Blank Plate | Security/CCTV Camera Housing |
| Galvanized Carriage Bolts | Self-Turn/Self Tapping Screw |
| Garage Door Tracking | Shower/Eye Washers |
| Gas Furnace | Signal Extender Module |
| Gas Piping Butt Weld Tees | Single Blank |
| Generator | Smoke Detector Wire |
| Globe Valve (Steam) | Speaker |
| Hand Dryer | Speaker/Strobe |
| Hanger Mounting Plates | Split HVAC System |
| Hangermates | Split Ring Hangers |
| Hangers Supports | Split Rings |
| Horn/Strobe | Split System Air Conditioning |
| Inclined Platform Wheelchair Lifts | SSD-C Remote Display with Control |
| Inner and Outer Door | SSD-C-REM Rem Display |
| Inner Door Blank Plate | Stainless Flat Bars |
| Interface Module | Stainless Steel Cable |
| Lag Bolts | Strobe |
| Large Remote Cab | Submersible Pump |
| Lighting Fixtures, Interior/Recessed | Sump Pump |
| Lighting Fixtures, Surface Wrap | Surface Mount Speaker |
| Lighting Fixtures, Track Head | Surface Station Box |
| Lock Cylinders | Surge Arrester |
| Locknuts | Surge Protector |
| Locksets | T8 Light Troffer |
| Low Temp. Detection Thermostats | Tamper Proof Screws and Nuts |
| Lubrication Unit | Threaded Rod Hanger |
| Machine Screws | Tie Wire 21 Gauge |
| Main Control Board | Tie Wire Anchor |
| Mega Press Fittings, Mega Press XL and G Fittings | Toggle Wing |
| Metal Lockers | Transformer |

Turbine Pumps
 Uninterruptible Power Supply
 VRV Fan Coils/Cond. Units
 Wall Mounted Boiler
 Wall Mounted Fountain
 Water Coolers
 Water Fountain Mounting Frame

Water Heater
 Wing Toggle

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 22-281. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from January 1, 2022, through January 31, 2022. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding Home Health agencies should be directed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

Ambulatory Surgical Facilities

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Dec. Date</i> | <i>Decision</i> |
|----------------------------------|---|------------------|----------------------|
| West Shore Endoscopy Center, LLC | § 553.31(a) and (b) (relating to administrative responsibilities) | 01/17/2022 | Granted w/Conditions |

Hospitals

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Dec. Date</i> | <i>Decision</i> |
|-------------------------|---|------------------|-------------------|
| ACMH Hospital | § 153.1(a) (relating to minimum standards) 2.1-3.2.3.2(2)(c) space requirements | 01/17/2022 | Granted |
| Lankenau Medical Center | § 153.1(a) 2.1-4.3.2.2 sinks | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.2.3 food preparation surfaces | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.2.4(1)—(3) equipment | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.2.5 hand-washing stations | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.3.1 assembly and distribution facilities | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.3.3(2) and (3) assembly and distribution facilities | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.4.1 warewashing facilities | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.4.3 pot- and pan-washing facilities | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.4.4 hand-washing station | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.8.4 office | 01/19/2022 | Granted Temporary |
| | § 153.1(a) 2.1-4.3.8.14(1)—(3) environmental services room | 01/19/2022 | Granted Temporary |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Dec. Date</i> | <i>Decision</i> |
|------------------------------|--|------------------|-------------------------|
| | § 153.1(a) 2.1-4.3.8.16 trash storage | 01/19/2022 | Granted Temporary |
| Moses Taylor Hospital | § 107.61 (relating to written orders) | 01/17/2022 | Granted w/Conditions |
| Mount Nittany Medical Center | § 153.1(a) 2.1-8.2 heating, ventilation and air-conditioning (HVAC) systems | 01/17/2022 | Granted |
| | § 153.1(a) 2.2-3.3.3.5(2) other design requirements | 01/17/2022 | Granted |
| | § 153.1(a) 2.2-3.3.7.1 support areas directly accessible to the semi-restricted area | 01/17/2022 | Granted |
| | § 153.1(a) 2.2-3.3.7.12(1)(b) soiled workroom or soiled holding room | 01/17/2022 | Granted |
| West Penn Hospital | § 153.1(a) 2.1-2.8.7.1 hand-washing station | 01/17/2022 | Granted |
| | § 153.1(a) 2.1-3.4.2.5 hand-washing stations | 01/17/2022 | Granted |

Nursing Care Facilities

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Dec. Date</i> | <i>Decision</i> |
|--|---|------------------|-----------------|
| The Bethlen Home of the Hungarian Reformed Federation of America | § 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB)) | 01/03/2022 | Granted |
| Bloomsburg Care and Rehabilitation Center | § 201.22(e) and (j) | 01/18/2022 | Granted |
| Brookline Manor and Rehabilitative Services | § 201.22(e) | 01/10/2022 | Granted |
| Buffalo Valley Lutheran Village | § 201.22(e) and (j) | 01/03/2022 | Granted |
| Delaware Valley Skilled Nursing and Rehabilitation Center | § 211.9(g) (relating to pharmacy services) | 01/18/2022 | Granted |
| Hillview Healthcare and Rehabilitation Center | § 201.22(j) | 01/18/2022 | Granted |
| Homewood at Plum Creek | § 201.22(j) | 01/18/2022 | Granted |
| Landis Homes | § 205.67(j) and (k) (relating to electric requirements for existing and new construction) | 01/31/2022 | Granted |
| Mountain View, a Nursing and Rehabilitation Center | § 201.22(e) and (j) | 01/03/2022 | Granted |
| River Run Healthcare and Rehabilitation Center | § 201.22 | 01/31/2022 | Granted |
| Shenandoah Manor Nursing Center | § 201.22(e) and (h) | 01/18/2022 | Granted |
| Smith Health Care, Ltd. | § 201.22(e) and (j) | 01/10/2022 | Granted |

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-282. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

| <i>Facility Name</i> | <i>Regulation and relating to</i> |
|---------------------------------|--|
| Excelsa Health Latrobe Hospital | 28 Pa. Code § 51.23 (relating to positron emission tomography) |

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities—2014 Edition*, or *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

| <i>Facility Name</i> | <i>FGI Guidelines Section and relating to</i> | <i>Yr¹</i> |
|---------------------------------|--|-----------------------|
| Excelsa Health Latrobe Hospital | 2.1-3.5.2.2(2)(a) space requirements | 18-O |
| Lehigh Valley Hospital | 2.1-3.2.3.2(1)(c) space requirements | 18-O |
| UPMC Pinnacle Hospitals | 2.1-3.4.4.2 phase I post-anesthetic care unit (PACU) | 18 |

¹ 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, 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).

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-283. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Medical Care Availability and Reduction Error (MCARE) Act Surcharge

On March 20, 2002, the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. §§ 1303.101—1303.910) was enacted. Among other provisions, the MCARE Act established the Patient Safety Authority (Authority) to collect, analyze and evaluate data regarding reports of serious events and incidents occurring in certain medical facilities and to make recommendations to those facilities regarding changes, trends and improvements in health care practices and procedures for the purpose of reducing the number and severity of serious events and incidents.

Section 305(a) of the MCARE Act (40 P.S. § 1303.305(a)) authorizes the establishment of a Patient Safety Trust Fund (Fund) for the operations of the Authority. Section 305(c) of the MCARE Act states that beginning July 1, 2002, and for every fiscal year thereafter, each medical facility covered by the MCARE Act shall pay the Department of Health (Department) a surcharge on its licensing fee as necessary to provide sufficient revenues for the Authority to operate. Section 305(c) of the MCARE Act also states that the total assessment amount for Fiscal Year (FY) 2002-2003 shall not exceed \$5 million and that the Department shall transfer the total assessment amount to the Fund within 30 days of receipt. Section 305(d) of the MCARE Act provides that for each succeeding calendar year, the Department shall determine and assess each medical facility a proportionate share of the Authority's budget. The base amount of

\$5 million provided for in FY 2002-2003 shall be increased no more than the Consumer Price Index in each succeeding fiscal year.

Initially, the surcharge was assessed on ambulatory surgical facilities (ASF), birth centers and hospitals. Subsequently, the MCARE Act was amended and abortion facilities were also required to pay the surcharge.

With the cooperation of hospitals, birthing centers, abortion facilities and ASFs in this Commonwealth, the surcharge has been implemented and has provided resources for the implementation of the web-based Pennsylvania Patient Safety Reporting System and the operation of the Authority.

This notice sets forth the procedure that the Department will follow in assessing and collecting the surcharge for FY 2021-2022. The Authority FY 2021-2022 surcharge assessment is \$6,360,000. The MCARE Act states that the surcharge shall be collected from medical facilities, which are defined as ASFs, birth centers and hospitals licensed under either the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b) or Article X of the Human Services Code (62 P.S. §§ 1001—1088), formerly known as the Public Welfare Code. Also included, as of May 1, 2006, is abortion facility which is defined in 40 P.S. § 1303.302 regarding definitions. Nursing homes, which are assessed under sections 401—411 of the MCARE Act (40 P.S. §§ 1303.401—1303.411), receive a separate assessment notification.

To assess the surcharge in an equitable manner, the Department continues to use a common denominator in these facilities. For ASFs, birth centers and abortion facilities, the Department has chosen the number of

operating and procedure rooms. For hospitals, the Department has chosen the number of beds contained on the license of each hospital, whether by the Department (general and special acute care hospitals) or the Department of Human Services (privately owned psychiatric hospitals). It was also necessary to pick a point in time to make this assessment; the Department has chosen December 30, 2021.

The number of operating/procedure rooms (for ASFs, birth centers and abortion facilities) and the number of licensed beds (for hospitals) was totaled and that number was divided into \$6.36 million to arrive at a charge per unit for the assessment. The total number of units (operating rooms, procedure rooms and licensed beds) is 42,191. Dividing this number into \$6.36 million results in a per unit assessment for each installment of approximately \$150.74. The assessment is payable by June 1, 2022.

To obtain a copy of the assessment for all facilities, send an e-mail to RA-DAAC@PA.gov and request the FY 2021-2022 MCARE surcharge assessment lists.

Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a facility has any questions concerning this notice, a representative from that facility should contact Garrison E. Gladfelder, Jr., Chief, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 783-8980.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape, Braille) should contact Garrison E. Gladfelder, Jr. at the previously listed address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-284. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Nursing Home Patient Safety Trust Fund Surcharge for Fiscal Year 2021-2022 as Provided for under the Medical Care Availability and Reduction of Error (MCARE) Act

Sections 401—411 of the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. §§ 1303.401—1303.411) require nursing homes to electronically report health care-associated infection (HAI) data to the Department of Health (Department) and the Patient Safety Authority (Authority). Mandatory reporting of nursing home HAIs was implemented in June 2009.

Section 409 of the MCARE Act (40 P.S. § 1303.409) states that every fiscal year, beginning July 1, 2008, each nursing home shall pay the Department a surcharge on its licensing fee to provide sufficient revenues for the

Authority to perform its responsibilities related to the MCARE Act. The base amount of \$1 million for Fiscal Year (FY) 2008-2009 has the potential to be increased no more than the Consumer Price Index in each succeeding fiscal year.

The Authority has recommended that the FY 2021-2022 surcharge assessment total \$1.14 million.

To assess the surcharge in an equitable manner, the number of licensed nursing home beds as of December 31, 2021, was totaled and that amount was divided into \$1.14 million. The total number of licensed beds is 85,944. This equates to a surcharge of \$13.26 per bed.

To obtain a copy of the assessment for all facilities, send an e-mail to paexcept@pa.gov and request the FY 2021-2022 MCARE surcharge assessment list for nursing care facilities. Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a nursing care facility has any questions concerning this notice, a representative from that facility should contact Susan Williamson, Director, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 787-1816.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape, Braille) should contact Susan Williamson at the previously listed address or telephone number, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-285. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Supplemental Payments to Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funds for fiscal year (FY) 2021-2022 to establish a new class of supplemental payment to qualifying acute care general hospitals located in a county with an estimated general population count of less than 1 million that serve a high percent of Medical Assistance (MA) patients. These payments will enable the continuation of quality medical services in these areas.

Qualifying Criteria

A hospital is eligible for these supplemental payments if the hospital meets all the following criteria. Unless otherwise stated, the source of the information is the FY 2018-2019 MA-336 Hospital Cost Report, as available to the Department on June 22, 2021.

a) The hospital is enrolled in the Commonwealth's MA Program as an acute care general hospital and submitted a FY 2018-2019 MA-336 Hospital Cost Report to the Department available to the Department on June 22, 2021;

b) The hospital provides an array of inpatient services (acute, psychiatric and rehabilitation) to MA enrollees as evidenced by having provided at least one acute care day, one psychiatric day and one rehabilitation day to MA beneficiaries;

c) The hospital's main campus is located in a county with an Annual Estimate of the Resident Population for 2019 of less than 1 million according to the United States Census Bureau, Population Division (March 2020 release date);

d) The hospital's combined fee-for-service (FFS) and managed care Pennsylvania MA inpatient acute care days exceeds the Statewide average combined FFS and managed care Pennsylvania MA inpatient acute care days for all hospitals enrolled in the MA Program as an acute care general hospital;

e) The hospital's Medicaid Inpatient Utilization Rate (MIUR) exceeds 30% (for purposes of this eligibility criterion a hospital's MIUR is equal to the hospital's total combined FFS and managed care MA inpatient days divided by the hospital's total inpatient days);

f) The hospital's inpatient Low Income Utilization Rate exceeds 30%; and,

g) The hospital's operating margin is less than 1.0% based on the Pennsylvania Health Care Cost Containment Council's FY 2019 Financial Analysis.

Payment Methodology

Payments will be divided proportionately among qualified hospitals based on each hospital's FFS Pennsylvania MA inpatient acute care days to total FFS Pennsylvania MA inpatient acute care days for all qualifying hospitals.

Fiscal Impact

For FY 2021-2022, the Department will allocate an annualized amount of \$4.828 million in total funds (State and Federal) for these supplemental payments upon approval by the Centers for Medicare & Medicaid Services.

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. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

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-1496. (1) General Fund;

(7) MA—Fee-for-Service; (2) Implementing Year 2021-22 is \$682,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$0; (4) 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2021-22 is \$1,303,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$0; (4) 2020-21 Program—\$9,618,000; 2019-20 Program—\$7,502,000; 2018-19 Program—\$10,071,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 22-286. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 333 Instant Lottery Game 1573

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 333 (hereafter "333"). The game number is PA-1573.

2. *Price:* The price of a 333 instant lottery game ticket is \$2.

3. *Play symbols:* Each 333 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 24 (TWYFOR), 25 (TWYFIV), 3X (3TIMES) symbol and a 333 (WIN333) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the play area, are: \$2.⁰⁰ (TWO DOL), \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTEEN), \$30.⁰⁰ (THIRTY), \$60.⁰⁰ (SIXTY), \$90.⁰⁰ (NINTY), \$100 (ONE HUN), \$333 (THRTRYTHR), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game, are: \$2, \$3, \$5, \$10, \$15, \$30, \$60, \$90, \$100, \$333, \$1,000 and \$20,000. 333 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 odds). A player can win up to 9 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the 333 instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$20,000 (TWY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which a 333 (WIN333) symbol appears in the play area and a prize symbol of \$333 (THRTRYTHR) appears in the “prize” area under that 333 (WIN333) symbol, on a single ticket, shall be entitled to a prize of \$333.

(d) Holders of tickets upon which a 3X (3TIMES) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that 3X (3TIMES) symbol, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which a 3X (3TIMES) symbol appears in the play area and a prize symbol of \$90⁰⁰ (NINTY) appears in the “prize” area under that 3X (3TIMES) symbol, on a single ticket, shall be entitled to a prize of \$270.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$90⁰⁰ (NINTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$90.

(h) Holders of tickets upon which a 3X (3TIMES) symbol appears in the play area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that 3X (3TIMES) symbol, on a single ticket, shall be entitled to a prize of \$90.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$60⁰⁰ (SIXTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$60.

(j) Holders of tickets upon which a 3X (3TIMES) symbol appears in the play area and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the “prize” area under that 3X (3TIMES) symbol, on a single ticket, shall be entitled to a prize of \$45.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(l) Holders of tickets upon which a 3X (3TIMES) symbol appears in the play area and a prize symbol of

\$10⁰⁰ (TEN DOL) appears in the “prize” area under that 3X (3TIMES) symbol, on a single ticket, shall be entitled to a prize of \$30.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which a 3X (3TIMES) symbol appears in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that 3X (3TIMES) symbol, on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which a 3X (3TIMES) symbol appears in the play area and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “prize” area under that 3X (3TIMES) symbol, on a single ticket, shall be entitled to a prize of \$9.

(q) Holders of tickets upon which a 3X (3TIMES) symbol appears in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “prize” area under that 3X (3TIMES) symbol, on a single ticket, shall be entitled to a prize of \$6.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

| <i>When Any Of YOUR NUMBERS Match Either WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 8,400,000 Tickets:</i> |
|---|-------------|-----------------------------------|--|
| \$2 | \$2 | 9.38 | 896,000 |
| \$3 | \$3 | 18.75 | 448,000 |
| \$5 | \$5 | 30 | 280,000 |
| \$2 × 5 | \$10 | 1,500 | 5,600 |

| <i>When Any Of YOUR NUMBERS Match Either WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 8,400,000 Tickets:</i> |
|---|-------------|-----------------------------------|--|
| (\$2 w/ 3X) + (\$2 × 2) | \$10 | 88.24 | 95,200 |
| \$10 | \$10 | 1,500 | 5,600 |
| \$5 × 3 | \$15 | 1,500 | 5,600 |
| (\$3 w/ 3X) + (\$2 w/ 3X) | \$15 | 375 | 22,400 |
| \$5 w/ 3X | \$15 | 375 | 22,400 |
| \$15 | \$15 | 1,500 | 5,600 |
| \$10 × 3 | \$30 | 1,500 | 5,600 |
| (((\$3 w/ 3X) × 3) + \$3 | \$30 | 750 | 11,200 |
| (\$5 w/ 3X) × 2 | \$30 | 1,500 | 5,600 |
| \$10 w/ 3X | \$30 | 150 | 56,000 |
| \$30 | \$30 | 1,500 | 5,600 |
| \$10 × 6 | \$60 | 12,000 | 700 |
| \$30 × 2 | \$60 | 12,000 | 700 |
| (\$10 w/ 3X) + (\$10 × 3) | \$60 | 1,200 | 7,000 |
| (\$15 w/ 3X) + (\$5 w/ 3X) | \$60 | 1,600 | 5,250 |
| \$60 | \$60 | 12,000 | 700 |
| \$10 × 9 | \$90 | 12,000 | 700 |
| \$15 × 6 | \$90 | 12,000 | 700 |
| (((\$5 w/ 3X) × 4) + (((\$3 w/ 3X) × 2) + (\$5 × 2) + \$2 | \$90 | 12,000 | 700 |
| (((\$10 w/ 3X) × 2) + (((\$5 w/ 3X) × 2) | \$90 | 12,000 | 700 |
| (\$10 w/ 3X) × 3 | \$90 | 12,000 | 700 |
| (\$15 w/ 3X) × 2 | \$90 | 4,000 | 2,100 |
| \$30 w/ 3X | \$90 | 4,000 | 2,100 |
| \$90 | \$90 | 12,000 | 700 |
| (\$15 × 4) + (\$10 × 3) + (\$5 × 2) | \$100 | 24,000 | 350 |
| (\$15 w/ 3X) + (\$10 w/ 3X) + (\$5 w/ 3X) + (\$5 × 2) | \$100 | 24,000 | 350 |
| (\$30 w/ 3X) + (\$3 × 2) + (\$2 × 2) | \$100 | 24,000 | 350 |
| \$100 | \$100 | 24,000 | 350 |
| (\$100 w/ 3X) + \$30 + \$3 | \$333 | 120,000 | 70 |
| \$333 w/ 333 SYMBOL | \$333 | 24,000 | 350 |
| (((\$333 w/ 333 SYMBOL) × 2) + (\$100 × 3) + (\$15 × 2) + (\$2 × 2) | \$1,000 | 840,000 | 10 |
| (((\$333 w/ 333 SYMBOL) × 2) + (\$90 w/ 3X) + (((\$10 w/ 3X) × 2) + (\$2 × 2) | \$1,000 | 840,000 | 10 |
| \$1,000 | \$1,000 | 840,000 | 10 |
| \$20,000 | \$20,000 | 840,000 | 10 |

Reveal a "3X" (3TIMES) symbol, win 3 TIMES the prize shown under that symbol.

Reveal a "333" (WIN333) symbol, win \$333 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell 333 instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in

a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall

be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of 333, prize money from winning 333 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the 333 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote 333 or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-287. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$50,000 Count Up Instant Lottery Game 1572

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$50,000 Count Up (hereafter “\$50,000 Count Up”). The game number is PA-1572.

2. *Price:* The price of a \$50,000 Count Up instant lottery game ticket is \$3.

3. *Play symbols:* Each \$50,000 Count Up instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area, are: Bow Tie (TIE) symbol, Diamond (DIAMND) symbol, Gold Bar (GOLD) symbol, Keys (KEYS) symbol, Coat (COAT) symbol, Purse (PURSE) symbol, Star (STAR) symbol,

Wishbone (WISHBN) symbol, Check (CHECK) symbol, Necklace (NECKLCE) symbol, Bank (BANK) symbol, Safe (SAFE) symbol, Moon (MOON) symbol, Silver Bar (SILVER) symbol, Briefcase (CASE) symbol, Gem (GEM) symbol, Clock (CLOCK) symbol, Computer (COMPUTR) symbol, Crown (CROWN) symbol, Lock (LOCK) symbol, Piggy Bank (PIGGYBK) symbol, Ring (RING) symbol, Wallet (WALLET) symbol, Treasure Chest (CHEST) symbol, Trophy (TROPHY) symbol, Stack of Coins (COINS) symbol and a Stack of Cash (CASH) symbol.

4. *Prizes:* The prizes that can be won in this game, are: \$3, \$5, \$10, \$15, \$30, \$50, \$100, \$300, \$1,000, \$3,000 and \$50,000. A player can win up to one time on a ticket.

5. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the \$50,000 Count Up instant lottery game.

6. *Determination of prize winners:*

(a) Holders of tickets with 12 Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets with 11 Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets with ten Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with nine Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets with eight Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with seven Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets with six Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets with five Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$15.

(i) Holders of tickets with four Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with three Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets with two Stack of Cash (CASH) symbols in the play area, on a single ticket, shall be entitled to a prize of \$3.

7. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

| <i>Scratch The PLAY AREA. Count The Number Of “Stack of Cash” (CASH) Symbols In The PLAY AREA And Win Corresponding Prize Shown In The PRIZE LEGEND. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 8,400,000 Tickets:</i> |
|--|-------------|-----------------------------------|--|
| 2—STACK OF CASH SYMBOLS | \$3 | 9.52 | 882,000 |

| <i>Scratch The PLAY AREA. Count The Number Of "Stack of Cash" (CASH) Symbols In The PLAY AREA And Win Corresponding Prize Shown In The PRIZE LEGEND. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 8,400,000 Tickets:</i> |
|--|-------------|-----------------------------------|--|
| 3—STACK OF CASH SYMBOLS | \$5 | 14.29 | 588,000 |
| 4—STACK OF CASH SYMBOLS | \$10 | 29.41 | 285,600 |
| 5—STACK OF CASH SYMBOLS | \$15 | 52.63 | 159,600 |
| 6—STACK OF CASH SYMBOLS | \$30 | 142.86 | 58,800 |
| 7—STACK OF CASH SYMBOLS | \$50 | 240 | 35,000 |
| 8—STACK OF CASH SYMBOLS | \$100 | 827.59 | 10,150 |
| 9—STACK OF CASH SYMBOLS | \$300 | 12,000 | 700 |
| 10—STACK OF CASH SYMBOLS | \$1,000 | 24,000 | 350 |
| 11—STACK OF CASH SYMBOLS | \$3,000 | 120,000 | 70 |
| 12—STACK OF CASH SYMBOLS | \$50,000 | 840,000 | 10 |

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$50,000 Count Up instant lottery game tickets.

9. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

10. *Unclaimed prize money:* For a period of 1 year from the announced close of \$50,000 Count Up, prize money from winning \$50,000 Count Up instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$50,000 Count Up instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *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 \$50,000 Count Up or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-288. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$1,000,000 Cash King Instant Lottery Game 1570

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000,000 Cash King (hereinafter “\$1,000,000 Cash King”). The game number is PA-1570.

2. *Price:* The price of a \$1,000,000 Cash King instant lottery game ticket is \$20.

3. *Play symbols:* Each \$1,000,000 Cash King instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “ROYAL BONUS” area. The “ROYAL BONUS” is played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions, located in the

“YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), KING (KING) symbol, WIN \$500 (WIN500) symbol and a Castle (WINALL) symbol. The play symbols and their captions, located in the “ROYAL BONUS” area, are: Helmet (NOBONUS) symbol, Pot of Gold (TRYAGAIN) symbol, Gem (NOBONUS) symbol, Diamond (TRYAGAIN) symbol, Gold Bar (NOBONUS) symbol and a Crown (CROWN) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL). The prize symbols and their captions, located in the “ROYAL BONUS” area, are: \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game, are: \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prizes that can be won in the “ROYAL BONUS” area, are: \$20, \$40, \$50, \$100, \$200, \$500 and \$1,000. A player can win up to 21 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 9,000,000 tickets will be printed for the \$1,000,000 Cash King instant lottery game.

7. *Determination of prize winners:*

(a) 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 \$1MILL (ONE MIL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. The prize shall be paid as a one-time, lump-sum cash payment.

(b) 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 \$100,000 (ONEHUNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one 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 a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which a Castle (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$500 (FIV HUN) appears in all 20 of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which a Castle (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in five of the “Prize” areas, a prize symbol of \$500 (FIV HUN) appears in five of the “Prize” areas and a prize symbol of \$200 (TWO HUN) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$9,500.

(g) 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 \$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.

(h) Holders of tickets upon which a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which a Crown (CROWN) symbol appears in the “ROYAL BONUS” area, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area to the right of that Crown (CROWN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which a Castle (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in all 20 of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which a Castle (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in 12 of the “Prize” areas, a prize symbol of \$40⁰⁰ (FORTY) appears in two of the “Prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in six of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$800.

(l) 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 \$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.

(m) Holders of tickets upon which a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which a WIN \$500 (WIN500) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under that WIN \$500 (WIN500) symbol, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which a Crown (CROWN) symbol appears in the “ROYAL BONUS” area, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area to the right of that Crown (CROWN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which a Castle (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the “Prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in 15 of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol

of \$400 (FOR HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$400 (FOR HUN) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$400.

(s) Holders of tickets upon which a Castle (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20.00 (TWENTY) appears in all 20 of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(t) Holders of tickets upon which any one 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.

(u) Holders of tickets upon which a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which a Crown (CROWN) symbol appears in the “ROYAL BONUS” area, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area to the right of that Crown (CROWN) symbol, on a single ticket, shall be entitled to a prize of \$200.

(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 \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which a Crown (CROWN) symbol appears in the “ROYAL BONUS” area, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area to the right of that Crown (CROWN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(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 \$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.

(aa) Holders of tickets upon which a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50.00 (FIFTY) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which a Crown (CROWN) symbol appears in the “ROYAL BONUS” area, and a prize symbol of \$50.00 (FIFTY) appears in the “prize” area to the right of that Crown (CROWN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$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.

(dd) Holders of tickets upon which a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$40.00 (FORTY) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$40.

(ee) Holders of tickets upon which a Crown (CROWN) symbol appears in the “ROYAL BONUS” area, and a prize symbol of \$40.00 (FORTY) appears in the “prize” area to the right of that Crown (CROWN) symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$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.

(gg) Holders of tickets upon which a KING (KING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20.00 (TWENTY) appears in the “Prize” area under that KING (KING) symbol, on a single ticket, shall be entitled to a prize of \$20.

(hh) Holders of tickets upon which a Crown (CROWN) symbol appears in the “ROYAL BONUS” area, and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area to the right of that Crown (CROWN) symbol, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i> | <i>ROYAL BONUS:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 9,000,000 Tickets:</i> |
|--|---------------------|-------------|-----------------------------------|--|
| | \$20 w/ CROWN | \$20 | 20 | 450,000 |
| \$20 w/ KING | | \$20 | 27.27 | 330,000 |
| \$20 | | \$20 | 30 | 300,000 |
| \$20 × 2 | | \$40 | 300 | 30,000 |
| \$20 | \$20 w/ CROWN | \$40 | 37.5 | 240,000 |
| | \$40 w/ CROWN | \$40 | 42.86 | 210,000 |
| \$40 w/ KING | | \$40 | 60 | 150,000 |

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i> | <i>ROYAL BONUS:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 9,000,000 Tickets:</i> |
|--|---------------------|-------------|---------------------------------------|--|
| \$40 | | \$40 | 300 | 30,000 |
| | \$50 w/ CROWN | \$50 | 42.86 | 210,000 |
| \$50 w/ KING | | \$50 | 42.86 | 210,000 |
| \$50 | | \$50 | 150 | 60,000 |
| \$20 × 5 | | \$100 | 300 | 30,000 |
| (\$20 × 2) + \$40 | \$20 w/ CROWN | \$100 | 300 | 30,000 |
| (\$40 w/ KING) + \$20 | \$40 w/ CROWN | \$100 | 300 | 30,000 |
| \$50 w/ KING | \$50 w/ CROWN | \$100 | 150 | 60,000 |
| | \$100 w/ CROWN | \$100 | 150 | 60,000 |
| \$100 w/ KING | | \$100 | 150 | 60,000 |
| \$100 | | \$100 | 300 | 30,000 |
| \$20 × 10 | | \$200 | 12,000 | 750 |
| \$50 × 4 | | \$200 | 12,000 | 750 |
| (\$40 × 2) + (\$20 × 4) | \$40 w/ CROWN | \$200 | 12,000 | 750 |
| (\$20 w/ KING) × 5 | \$100 w/ CROWN | \$200 | 1,200 | 7,500 |
| (\$20 w/ KING) × 10 | | \$200 | 1,200 | 7,500 |
| | \$200 w/ CROWN | \$200 | 6,000 | 1,500 |
| \$200 w/ KING | | \$200 | 1,200 | 7,500 |
| \$200 | | \$200 | 12,000 | 750 |
| CASTLE w/ (\$20 × 20) | | \$400 | 1,333 | 6,750 |
| \$100 × 4 | | \$400 | 24,000 | 375 |
| \$400 w/ KING | | \$400 | 24,000 | 375 |
| \$400 | | \$400 | 24,000 | 375 |
| CASTLE w/ (\$20 × 20) | \$100 w/ CROWN | \$500 | 2,400 | 3,750 |
| CASTLE w/ ((\$40 × 5) + (\$20 × 15)) | | \$500 | 4,000 | 2,250 |
| \$50 × 10 | | \$500 | 24,000 | 375 |
| (\$200 w/ KING) + (\$100 w/ KING) + (\$20 × 5) | \$100 w/ CROWN | \$500 | 24,000 | 375 |
| | \$500 w/ CROWN | \$500 | 24,000 | 375 |
| \$500 w/ WIN \$500 | | \$500 | 500 | 18,000 |
| \$500 w/ KING | | \$500 | 24,000 | 375 |
| \$500 | | \$500 | 24,000 | 375 |
| CASTLE w/ ((\$40 × 5) + (\$20 × 15)) | \$500 w/ CROWN | \$1,000 | 6,000 | 1,500 |
| CASTLE w/ ((\$50 × 12) + (\$40 × 2) + (\$20 × 6)) | \$200 w/ CROWN | \$1,000 | 6,000 | 1,500 |
| CASTLE w/ (\$50 × 20) | | \$1,000 | 12,000 | 750 |
| \$200 × 5 | | \$1,000 | 24,000 | 375 |
| (\$500 w/ WIN \$500) + ((\$100 w/ KING) × 4) | \$100 w/ CROWN | \$1,000 | 24,000 | 375 |
| \$500 w/ WIN \$500 | \$500 w/ CROWN | \$1,000 | 24,000 | 375 |
| | \$1,000 w/ CROWN | \$1,000 | 24,000 | 375 |
| \$1,000 w/ KING | | \$1,000 | 24,000 | 375 |
| \$1,000 | | \$1,000 | 24,000 | 375 |
| CASTLE w/ ((\$1,000 × 5) + (\$500 × 5) + (\$200 × 10)) | \$500 w/ CROWN | \$10,000 | 900,000 | 10 |
| CASTLE w/ (\$500 × 20) | | \$10,000 | 900,000 | 10 |

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i> | <i>ROYAL BONUS:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 9,000,000 Tickets:</i> |
|--|---------------------|-------------|-----------------------------------|--|
| \$1,000 × 9 | \$1,000 w/ CROWN | \$10,000 | 1,800,000 | 5 |
| (\$500 w/ WIN \$500) × 20 | | \$10,000 | 900,000 | 10 |
| \$10,000 w/ KING | | \$10,000 | 1,800,000 | 5 |
| \$10,000 | | \$10,000 | 1,800,000 | 5 |
| \$100,000 | | \$100,000 | 1,800,000 | 5 |
| \$1,000,000 | | \$1,000,000 | 1,800,000 | 5 |

Reveal a “KING” (KING) symbol, win prize shown under that symbol automatically.

Reveal a “WIN \$500” (WIN500) symbol, win \$500 instantly.

Reveal a “Castle” (WINALL) symbol, win all 20 prizes shown!

ROYAL BONUS: Reveal a “Crown” (CROWN) symbol, win prize shown to the right of that symbol. ROYAL BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$1,000,000 Cash King instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of \$1,000,000 Cash King, prize money from winning \$1,000,000 Cash King instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$1,000,000 Cash King instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$1,000,000 Cash King or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-289. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Golden Egg Instant Lottery Game 1574

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Golden Egg (hereafter “Golden Egg”). The game number is PA-1574.

2. *Price:* The price of a Golden Egg instant lottery game ticket is \$1.

3. *Play symbols:* Each Golden Egg instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a Golden Egg (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$10, \$20, \$40, \$100, \$200, \$400 and \$5,000. A player can win up to four times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Golden Egg instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the “prize” areas and a prize symbol of \$40⁰⁰ (FORTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the “prize” areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the “prize” areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in three of the “prize” areas and a prize symbol of \$4⁰⁰ (FOR DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets upon which a Golden Egg (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the

“WINNING NUMBERS” play symbols, and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of FREE (TICKET) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single

ticket, shall be entitled to a prize of one Golden Egg instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

| <i>When Any Of YOUR NUMBERS Match Either WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 8,400,000 Tickets:</i> |
|---|-----------------|-----------------------------------|--|
| FREE | FREE \$1 TICKET | 10 | 840,000 |
| \$1 × 2 | \$2 | 40 | 210,000 |
| \$2 | \$2 | 30.3 | 277,200 |
| GOLDEN EGG w/ (\$1 × 4) | \$4 | 28.57 | 294,000 |
| \$2 × 2 | \$4 | 500 | 16,800 |
| (\$1 × 2) + \$2 | \$4 | 500 | 16,800 |
| \$4 | \$4 | 500 | 16,800 |
| GOLDEN EGG w/ ((\$2 × 3) + \$4) | \$10 | 250 | 33,600 |
| GOLDEN EGG w/ ((\$4 × 2) + (\$1 × 2)) | \$10 | 200 | 42,000 |
| (\$4 × 2) + \$2 | \$10 | 1,000 | 8,400 |
| \$10 | \$10 | 1,000 | 8,400 |
| GOLDEN EGG w/ ((\$4 × 2) + \$10 + \$2) | \$20 | 500 | 16,800 |
| \$10 × 2 | \$20 | 1,000 | 8,400 |
| \$20 | \$20 | 1,000 | 8,400 |
| GOLDEN EGG w/ (\$10 × 4) | \$40 | 1,000 | 8,400 |
| \$20 × 2 | \$40 | 6,000 | 1,400 |
| \$40 | \$40 | 6,000 | 1,400 |
| GOLDEN EGG w/ ((\$20 × 3) + \$40) | \$100 | 24,000 | 350 |
| GOLDEN EGG w/ ((\$40 × 2) + (\$10 × 2)) | \$100 | 24,000 | 350 |
| (\$40 × 2) + \$20 | \$100 | 120,000 | 70 |
| \$100 | \$100 | 120,000 | 70 |
| GOLDEN EGG w/ ((\$40 × 2) + \$100 + \$20) | \$200 | 40,000 | 210 |
| \$100 × 2 | \$200 | 120,000 | 70 |
| \$200 | \$200 | 120,000 | 70 |
| GOLDEN EGG w/ (\$100 × 4) | \$400 | 840,000 | 10 |
| \$200 × 2 | \$400 | 840,000 | 10 |
| \$400 | \$400 | 840,000 | 10 |
| \$5,000 | \$5,000 | 840,000 | 10 |

Reveal a “Golden Egg” (WINALL) symbol, win all 4 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Golden Egg instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described

in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles

the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Golden Egg, prize money from winning Golden Egg instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Golden Egg instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Golden Egg or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-290. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Hello 50 Instant Lottery Game 1571

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Hello 50 (hereafter “Hello 50”). The game number is PA-1571.

2. *Price:* The price of a Hello 50 instant lottery game ticket is \$5.

3. *Play symbols:* Each Hello 50 instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “50 SPOT.” The “50 SPOT” is played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6

(SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), HELLO (HELLO) symbol and a +50 (PLUS50) symbol. The play symbols and their captions, located in the “50 SPOT,” are: NO BONUS (TRYAGAIN) symbol, TRY AGAIN (NOBONUS) symbol, NO BONUS (TRYAGAIN) symbol, TRY AGAIN (NOBONUS) symbol and a \$50 Bill (WIN50) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$75⁰⁰ (SVY FIV), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$250,000 (TWHNFYTH).

5. *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$25, \$50, \$75, \$100, \$200, \$500, \$1,000, \$5,000 and \$250,000. The prize that can be won in the “50 SPOT” is \$50. Hello 50 contains a feature that can add \$50 to certain prizes. For a complete list of prizes, and how those prizes can be won, see section 8 (relating to Number and description of prizes and approximate odds). A player can win up to 13 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 13,200,000 tickets will be printed for the Hello 50 instant lottery game.

7. Determination of prize winners:

(a) 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 \$250,000 (TWHNFYTH) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(b) 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 \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that +50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$1,050.

(d) 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 \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that +50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$550.

(g) 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 \$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 one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50) symbol, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that +50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$250.

(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 \$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.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that +50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$150.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50) symbol, and a prize symbol of \$75⁰⁰ (SVY FIV) appears in the “prize” area under that +50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$125.

(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, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that +50 (PLUS50) symbol, 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 \$75⁰⁰ (SVY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$75.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$75⁰⁰ (SVY FIV) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$75.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50)

symbol, and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the “prize” area under that +50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$75.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that +50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$60.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a +50 (PLUS50) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that +50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$55.

(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 \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which a \$50 Bill (WIN50) symbol appears in the “50 SPOT,” on a single ticket, shall be entitled to a prize of \$50.

(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 \$25⁰⁰ (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.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$25.

(aa) 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 \$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.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$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.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HELLO (HELLO) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that HELLO (HELLO) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>50 SPOT:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 13,200,000 Tickets:</i> |
|--|-------------------|-------------|-----------------------------------|---|
| \$5 w/ HELLO | | \$5 | 17.14 | 770,000 |
| \$5 | | \$5 | 15 | 880,000 |
| \$5 × 2 | | \$10 | 75 | 176,000 |
| (\$5 w/ HELLO) + \$5 | | \$10 | 60 | 220,000 |
| \$10 w/ HELLO | | \$10 | 50 | 264,000 |
| \$10 | | \$10 | 60 | 220,000 |
| \$5 × 5 | | \$25 | 600 | 22,000 |
| (\$10 × 2) + \$5 | | \$25 | 600 | 22,000 |
| (((\$5 w/ HELLO) × 3) + (\$5 × 2)) | | \$25 | 600 | 22,000 |
| (((\$10 w/ HELLO) × 2) + (\$5 w/ HELLO)) | | \$25 | 600 | 22,000 |
| (\$5 w/ HELLO) × 5 | | \$25 | 200 | 66,000 |
| \$25 w/ HELLO | | \$25 | 150 | 88,000 |
| \$25 | | \$25 | 300 | 44,000 |
| \$5 × 10 | | \$50 | 600 | 22,000 |
| \$10 × 5 | | \$50 | 600 | 22,000 |
| (((\$10 w/ HELLO) × 2) + (\$5 × 6)) | | \$50 | 600 | 22,000 |
| (\$25 w/ HELLO) + (\$10 w/ HELLO) + (\$5 × 3) | | \$50 | 600 | 22,000 |
| (\$5 w/ HELLO) × 10 | | \$50 | 600 | 22,000 |
| | \$50 w/ \$50 BILL | \$50 | 200 | 66,000 |
| \$50 w/ HELLO | | \$50 | 150 | 88,000 |
| \$50 | | \$50 | 600 | 22,000 |
| \$25 × 3 | | \$75 | 12,000 | 1,100 |
| \$5 × 5 | \$50 w/ \$50 BILL | \$75 | 12,000 | 1,100 |
| \$25 | \$50 w/ \$50 BILL | \$75 | 12,000 | 1,100 |
| (((\$10 w/ HELLO) × 2) + \$5) | \$50 w/ \$50 BILL | \$75 | 6,000 | 2,200 |
| (\$50 w/ HELLO) + ((\$5 w/ HELLO) × 5) | | \$75 | 12,000 | 1,100 |
| (\$5 w/ +\$50 SYMBOL) + (((\$10 w/ HELLO) × 2)) | | \$75 | 6,000 | 2,200 |
| (\$10 w/ +\$50 SYMBOL) + (\$5 × 3) | | \$75 | 6,000 | 2,200 |
| \$25 w/ +\$50 SYMBOL | | \$75 | 1,200 | 11,000 |
| \$75 w/ HELLO | | \$75 | 12,000 | 1,100 |
| \$75 | | \$75 | 12,000 | 1,100 |
| \$50 × 2 | | \$100 | 12,000 | 1,100 |
| \$10 × 10 | | \$100 | 12,000 | 1,100 |
| \$5 × 10 | \$50 w/ \$50 BILL | \$100 | 12,000 | 1,100 |
| \$10 × 5 | \$50 w/ \$50 BILL | \$100 | 12,000 | 1,100 |
| \$25 × 2 | \$50 w/ \$50 BILL | \$100 | 12,000 | 1,100 |
| (\$10 w/ HELLO) × 5 | \$50 w/ \$50 BILL | \$100 | 6,000 | 2,200 |
| (\$5 w/ +\$50 SYMBOL) + (\$25 w/ HELLO) + (\$10 × 2) | | \$100 | 12,000 | 1,100 |
| (\$10 w/ +\$50 SYMBOL) + (((\$10 w/ HELLO) × 2) + (\$5 × 4)) | | \$100 | 12,000 | 1,100 |
| (\$25 w/ +\$50 SYMBOL) + ((\$5 w/ HELLO) × 5) | | \$100 | 6,000 | 2,200 |

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>50 SPOT:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 13,200,000 Tickets:</i> |
|--|-------------------|-------------|-----------------------------------|---|
| (\$50 w/ HELLO) × 2 | | \$100 | 12,000 | 1,100 |
| \$50 w/ +\$50 SYMBOL | | \$100 | 4,000 | 3,300 |
| \$100 w/ HELLO | | \$100 | 6,000 | 2,200 |
| \$100 | | \$100 | 12,000 | 1,100 |
| \$50 × 4 | | \$200 | 24,000 | 550 |
| \$100 × 2 | | \$200 | 24,000 | 550 |
| (\$25 × 2) + (\$10 × 10) | \$50 w/ \$50 BILL | \$200 | 24,000 | 550 |
| (((\$50 w/ HELLO) × 2) + (\$5 × 10)) | \$50 w/ \$50 BILL | \$200 | 24,000 | 550 |
| (\$50 w/ +\$50 SYMBOL) + ((\$10 w/ HELLO) × 10) | | \$200 | 24,000 | 550 |
| (\$75 w/ +\$50 SYMBOL) + ((\$5 w/ HELLO) × 5) | \$50 w/ \$50 BILL | \$200 | 24,000 | 550 |
| \$100 w/ +\$50 SYMBOL | \$50 w/ \$50 BILL | \$200 | 24,000 | 550 |
| (\$50 w/ +\$50 SYMBOL) × 2 | | \$200 | 24,000 | 550 |
| \$200 w/ HELLO | | \$200 | 12,000 | 1,100 |
| \$200 | | \$200 | 24,000 | 550 |
| \$100 × 5 | | \$500 | 120,000 | 110 |
| \$50 × 9 | \$50 w/ \$50 BILL | \$500 | 120,000 | 110 |
| (((\$50 w/ HELLO) × 8) + ((\$25 w/ HELLO) × 2)) | \$50 w/ \$50 BILL | \$500 | 120,000 | 110 |
| (((\$50 w/ +\$50 SYMBOL) × 4) + (\$50 w/ HELLO)) | \$50 w/ \$50 BILL | \$500 | 120,000 | 110 |
| (((\$100 w/ +\$50 SYMBOL) × 3) + (\$25 w/ HELLO) + \$25) | | \$500 | 120,000 | 110 |
| (\$200 w/ +\$50 SYMBOL) + ((\$50 w/ HELLO) × 2) + (\$50 × 2) | \$50 w/ \$50 BILL | \$500 | 120,000 | 110 |
| (\$200 w/ +\$50 SYMBOL) × 2 | | \$500 | 120,000 | 110 |
| \$500 w/ HELLO | | \$500 | 24,000 | 550 |
| \$500 | | \$500 | 120,000 | 110 |
| \$100 × 10 | | \$1,000 | 1,320,000 | 10 |
| (((\$100 w/ HELLO) × 5) + ((\$50 w/ HELLO) × 5) + (\$100 × 2)) | \$50 w/ \$50 BILL | \$1,000 | 1,320,000 | 10 |
| (\$500 w/ +\$50 SYMBOL) + ((\$100 w/ HELLO) × 4) | \$50 w/ \$50 BILL | \$1,000 | 660,000 | 20 |
| (\$200 w/ +\$50 SYMBOL) × 4 | | \$1,000 | 1,320,000 | 10 |
| (\$100 w/ HELLO) × 10 | | \$1,000 | 1,320,000 | 10 |
| \$1,000 w/ HELLO | | \$1,000 | 264,000 | 50 |
| \$1,000 | | \$1,000 | 1,320,000 | 10 |
| \$500 × 10 | | \$5,000 | 1,320,000 | 10 |
| (((\$1,000 w/ +\$50 SYMBOL) × 4) + (\$500 w/ +\$50 SYMBOL) + (\$50 × 4)) | \$50 w/ \$50 BILL | \$5,000 | 1,320,000 | 10 |
| (\$500 w/ HELLO) × 10 | | \$5,000 | 1,320,000 | 10 |
| \$5,000 | | \$5,000 | 1,320,000 | 10 |
| \$250,000 | | \$250,000 | 1,320,000 | 10 |

Reveal a "HELLO" (HELLO) symbol, win prize shown under that symbol automatically.

Reveal a "+50" (PLUS50) symbol, add \$50 to the prize shown under that symbol and win that amount!

Scratch the 0 in 50! Reveal a "\$50 Bill" (WIN50) symbol, win \$50 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Hello 50 instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Hello 50, prize money from winning Hello 50 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Hello 50 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Hello 50 or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-291. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3) intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

1. State Route 119, Parcel Nos. 5 and 6, Tax IDs 24-002-0208A parcel 5 and 24-002-0211 parcel 6, RW Plan LR 63, Punxsutawney Borough, Jefferson County. This parcel contains approximately 4,091 square feet or 0.09 acre of improved/unimproved land situated at Station 145 ± 27 RT to Station 146 ± 15 RT identified on the more current plan sheet State Route 119 Seg 550/551. The property will be sold in as is condition. The estimated fair market value of the parcels are \$3,600. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public agencies are invited to express their interest in purchasing the parcels within 30 calendar days from the date of publication of this notice to Kevin D. Pollino, Right-of-Way Administrator, Department of Transportation, Engineering District 10-0, 2550 Oakland Avenue, Indiana, PA 15701-3388.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-292. Filed for public inspection February 18, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Watercraft Trailer Forfeiture; Maximum Amount

Chapter 73, Subchapter B of 75 Pa.C.S. (relating to watercraft trailer forfeiture) applies only to a watercraft trailer with a resale value based upon established industry standards equal to or less than the maximum amount set forth in 75 Pa.C.S. § 7321(c) (relating to scope of subchapter and legislative intent). Section 7321(c) of 75 Pa.C.S. provides that for the year 2006, the maximum amount will be \$1,000 and for each year thereafter, the maximum amount will be fixed annually by the Department of Transportation (Department) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. Section 7321(c) of 75 Pa.C.S. further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and the Department will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*.

Under 75 Pa.C.S. § 7321(c)(3), the Department has fixed the maximum amount for 2022 as \$1,390.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-293. Filed for public inspection February 18, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Johnnie Lee Williams, Jr.; Doc. No. SC22-02-012

Notice is hereby given of the Order to Show Cause issued on February 8, 2022, by the Deputy Insurance

Commissioner in the previously-referenced matter. Violations of the following are alleged: section 611-A(6), (7), (17) and (20) of The Insurance Act of 1921 (40 P.S. § 310.11(6), (7), (17) and (20)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Domenica Dean, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,
Secretary

[Pa.B. Doc. No. 22-294. Filed for public inspection February 18, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Workers' Compensation Security Fund Assessment; Notice 2022-02

The Insurance Department (Department) has determined that no contributions will be required during 2022 to maintain the balance of the Workers' Compensation Security Fund (Fund).

Section 9(1) of the Workers' Compensation Security Fund Act (act) (77 P.S. § 1059(1)) states “[i]f, due to the payment of liabilities or claims, the balance of the fund is reduced below \$500,000,000, the department shall require contributions to maintain the actuarial soundness of the fund and to restore, in a timely manner, the balance of the fund to a level at or above \$500,000,000.”

As of the evaluation of December 31, 2021, the balance of the Fund exceeded \$500 million. Therefore, insurers writing workers' compensation insurance in this Commonwealth will not be required to submit contributions to the Fund in 2022.

The act may be viewed at www.ncigf.org (select “Resources,” then “Laws and Law Summaries”) and 31 Pa. Code Chapter 165 (relating to Workers' Compensation Security Fund) may be viewed at www.pacodeandbulletin.gov. Additional information regarding the Fund is located on the Department's web site at www.insurance.pa.gov.

No acknowledgement of this notice is required.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 22-295. Filed for public inspection February 18, 2022, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Management Directive No. 535.09—Information Technology Security Trainings, Amended January 25, 2022.

Administrative Circular No. 22-01—Distribution of the 2022-23 Commonwealth Budget, Dated January 4, 2022.

Administrative Circular No. 22-02—2022-23 Budget Hearing Materials, Dated January 11, 2022.

Administrative Circular No. 22-03—Closing Instructions No. 1, Fiscal Year 2021-22; Submission of Purchasing Documents, Dated January 11, 2022.

AMY J. MENDELSON,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 22-296. Filed for public inspection February 18, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation into Conservation Service Provider and Other Third Party Access to Electric Distribution Company Customer Data; Doc. No. M-2021-3029018

On April 16, 2019, Enerwise Global Technologies, LLC, d/b/a CPower (Enerwise) applied to become a licensed electric generation supplier (EGS) within the Commonwealth, at Doc. No. A-2019-3009271. In its application, Enerwise acknowledged that it would not provide electric marketing services within the Commonwealth. Enerwise stated that it applied for an EGS license solely for the purpose of obtaining access to utility data systems on behalf of its customers. This access would allow Enerwise to verify customer performance in demand response programs and assist the customers in analyzing their electricity usage and capabilities.

By Final Order entered October 7, 2021 (Final Order), the Pennsylvania Public Utility Commission (Commission) denied Enerwise's application, determining that voluntary licensing of a conservation service provider (CSP) as an EGS is not permitted under the Pennsylvania

nia Public Utility Code. The Final Order also ordered the Commission's Office of Competitive Market Oversight, Law Bureau and Bureau of Technical Utility Services to initiate a new proceeding to determine if a safe, acceptable path exists for registered CSPs and other third parties to potentially gain access to customer data electronically from electric distribution company's (EDC) data systems, with customer consent, as permitted under 66 Pa.C.S. § 2807(f) (relating to duties of electric distribution companies).¹

In the Tentative Order, we requested comments regarding Enerwise's application for it, as a CSP, to obtain customer usage information electronically from EDC data systems.² In response, the Commission received the following comments, among others:

- The Commission lacks the requisite factual record upon which to determine the proper means through which non-EGSs should be granted web portal or electronic data interchange (EDI) access.³
- The outcome of this proceeding will directly impact similar requests from non-EGSs in the future.⁴
- There should be safeguards in place to ensure the integrity of data systems and the privacy of customer data before any CSP or other third party is authorized to access usage data through the EDC data systems.⁵

The comments and reply comments submitted at Doc. No. A-2019-3009271 overwhelmingly recommended that the Commission initiate a new proceeding to review potential avenues for CSPs and other third parties to obtain scalable and secure usage data, whether through EDI, the EDC web portals or some other electronic form.⁶ As requested by the commenters and directed by the Commission in the Final Order, we are initiating this instant proceeding to determine if a safe, acceptable path exists for CSPs and other third parties to gain access to customer data electronically from the EDCs.

In comments to the Tentative Order, some stakeholders posed questions on various topics that they asserted should be resolved for a potential pathway to be created for CSPs and other third parties to access customer data. Those questions, along with additional questions posed by Commission staff, have been included as Attachment A to this Secretarial Letter.

It is not intended for this list of questions to limit the information commenters may furnish. When submitting responses to these proceedings, commenters are encouraged to submit any additional questions or any other information that they deem relevant.

¹ In addition, in the Tentative Order the Commission referred this matter to the Office of Competitive Market Oversight for any further action as may be deemed warranted to modify the Commission's Submission of the Electronic Data Exchange Working Group's Web Portal Working Group's Solution Framework for Historical Interval Usage and Billing Quality Interval Use Final Order, Doc. No. M-2009-2092655 (Order entered June 30, 2016). See the Tentative Order at Doc. No. A-2019-3009271 (entered May 24, 2021), at Ordering Paragraph 5.

² See the Tentative Order at Doc. No. A-2019-3009271 (entered May 24, 2021), at 6.

³ See the Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company (collectively, FE) Comments at 5.

⁴ *Ibid.*

⁵ See the Citizens' Electric Company of Lewisburg, PA and Wellsboro Electric Company (collectively, C&T Utilities) Comments at 4; Duquesne Light Company (Duquesne) Comments at 2-4; FE Comments at 4-7; the Office of Consumer Advocate (OCA) Comments at 2-6; and PPL Electric Utilities Corporation (PPL) Comments at 4 and 14-19.

⁶ See the C&T Utilities Comments at 4; Duquesne Comments at 2-4; Enerwise Comments at 4-5; FE Comments at 4-7; Mission:data Coalition Comments at 2-3; and the OCA Comments at 2-6.

Interested parties are invited to file comments within 45 days after the date of publication of the instant Secretarial Letter in the *Pennsylvania Bulletin*. Written comments referencing Doc. No. M-2021-3029018 shall be submitted to the Pennsylvania Public Utility Commission, Attn.: Secretary, 400 North Street, Harrisburg, PA 17120 or eFiled at <https://efiling.puc.pa.gov/>.

If there are any technical questions regarding the proposal contact Jeff McCracken, jmccracken@pa.gov, (717) 783-6163, in the Commission's Bureau of Technical Utility Services. If there are any questions related to the comment and approval processes contact either Scott Thomas, sjthomas@pa.gov, (717) 783-2812, in the Commission's Law Bureau or Christian McDewell, cmcdewell@pa.gov, (717) 787-7466, in the Commission's Law Bureau.

ROSEMARY CHIAVETTA,
Secretary

Attachment A

Questions Related to the Commission's Investigation into Conservation Service Provider (CSP) and Other Third Party Access to Electric Distribution Company Customer Data at Doc. No. M-2021-3029018

1. Electric Distribution Company (EDC) Smart Meter Customer Data Access by CSPs and Other Third Parties Technical Concerns:

a. Is it possible to develop a path in which certain CSPs or other third parties are granted authorization to access EDC smart meter customer data electronically in a secure manner?

b. Can the web portals available to electric generation suppliers be utilized for this access, or is an alternate pathway necessary?

c. Do individual EDCs already maintain an alternative method of data access for CSPs and other third parties? If yes, please explain your system for this access.

d. How are CSPs provided customer data when performing services under ACT 129?

e. What technical limitations currently prevent EDCs from providing smart meter data electronically to CSPs or other third parties?

f. Aside from CSPs, what other third party entities should be considered for potential access?

g. What criteria should the EDCs utilize to determine eligibility for CSPs and other third parties? Should there be different standards and/or different levels of access to data for different types of CSPs and other third parties?

h. Should the EDCs require financial security instruments, such as bonds, to help protect data confidentiality? If yes, are rules required to implement these financial security requirements? Also, if yes, should there be different security thresholds required for different types of CSPs and other third parties? If no financial security should be required, please explain why not.

i. What types of tools should be required to ensure that CSPs and other third parties accessing utility systems have access to help features, such as online trouble ticket systems or technical documentation, to enhance their customer experience? What other features may be necessary?

j. How should costs incurred for this purpose be recovered?

2. EDC Smart Meter Data Access by CSPs and Other Third Parties Legal Concerns:

a. What legal limitations currently prevent EDCs from providing smart meter customer data electronically to CSPs or other third parties?

b. How do EDCs protect their data when it is provided to CSPs performing services under Act 129 to ensure it is not abused? Can this method be extended to other CSPs or other third parties not under contract to perform Act 129 services for the EDC?

c. Could the EDCs utilize contracts to protect the confidentiality of the data? If yes, what limitations currently exist that prevent the utilities from implementing these contracts?

d. Would the EDCs need to include any provisions created in these proceedings in a tariff in order to apply them to CSPs and other third parties? What other terms of use should be included?

e. How should a CSP or other third party obtain customer consent for access to data from EDC systems? Would the EDC determine if a CSP or other third party has obtained the proper customer authorization before customer data is provided? If yes, how? If no, please explain why not.

f. How would the EDC be notified when a customer grants consent for a CSP or other third party to access its' EDC-maintained customer data?

g. How should a customer withdraw previously granted consent for CSP or other third party access to the EDC's data? How would the EDC be notified of this withdrawal of consent?

h. How would the EDCs monitor data access to determine if a CSP or other third party becomes a "bad actor" by violating its agreements (failing to maintain data confidentiality, pulling data for a customer without proper authorization, etc.)? What processes could be used to remove access and prevent misuse?

i. For third parties that serve as both a Distributed Energy Resource Aggregator under FERC Order 2222⁷ and a CSP, what limitations on the use of data should be placed on them to prevent unauthorized use between roles?

j. Should a utility be held accountable for the improper or illegal acts of a customer-authorized CSP or other third party?

k. What action, if any, can the Commission take against CSPs and other third parties that misuse their access to customer data or the data itself? Please cite to any statutes or regulations that support your answer.

3. Utility Usage Data and Meter Access:

a. What customer data should the utility share with CSPs and other third parties? Should different types of CSPs and other third parties have different access to customer data?

b. What types of data should the EDCs withhold from CSPs and other third parties? Do the EDCs' current systems allow for this data to be restricted?

c. In what format should the data be given? Should the data from each EDC be in an identical format (similar to

the Electronic Data Exchange Working Group web portal data)? What other technical standards should be applied to the data?

d. Should aggregated data (i.e.—benchmarking or geographic data) be made available? Should aggregated data be available to a wider array of CSPs and other third parties?

e. Should the Commission establish standard protocols and communication mediums for providing direct access to usage information from the meter to the Home Area Network? If so, what should those be?

f. Should CSPs and other third parties be provided *direct access to the meter*? What policies or regulations should this Commission promulgate to ensure that these CSPs and other third parties are provided timely access under reasonable terms and conditions to the EDC's customer metering facilities?

g. What communications, software or hardware can facilitate this *direct access to the meter* for customers and their approved CSPs and other third parties, and should the Commission establish requirements and or standards to facilitate this access?

h. What electronic access to customer meter data do CSPs, other third parties, and EGSs need from EDCs, that they currently do not have? Provide specific examples where these entities do not have such access currently, and provide examples, if available, of electronic transactions that can be adopted to facilitate access.

4. Home Area Network (HAN) Protocols:

a. Should there be interconnectivity between the smart meter and other equipment in the home? If so, how much? [**read capability vs. two-way communication**]

b. Can CSP or other third party equipment installed in a customer's home interact with the HAN or the smart meters?

c. Do CSPs or other third parties that have installed equipment in a customer's home still need access to customer data from the EDC?

5. Automatic Control:

a. How can smart meters "effectively support" automatic control of a customer's electricity consumption by customers, utilities, and the customer's CSPs or other third parties?

b. How is the smart metering system engaged in the initiation, maintenance, relinquishment, and verification of the automatic control of customer consumption?

c. What smart metering protocols and communication mediums are needed to implement these automated controls? Should the Commission establish standard protocols and standards for this purpose?

d. What energy consuming customer assets can be controlled by these smart meter systems for each of the customer segments, and how is control of these assets impacted by the choice of communication medium and protocol?

6. Additional Concerns:

Please address any additional questions or raise any additional concerns you have regarding CSP or other third party access to EDC customer data systems.

[Pa.B. Doc. No. 22-297. Filed for public inspection February 18, 2022, 9:00 a.m.]

⁷ Available at https://ferc.gov/sites/default/files/2020-09/E-1_0.pdf.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Columbia Gas
of PA, Inc.**

Public Meeting held
February 3, 2022

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; John F. Coleman, Jr., Vice Chairperson; Ralph V. Yanora

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Columbia Gas of PA,
Inc.; M-2021-3005572*

Opinion and Order

By the Commission:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is a proposed Joint Petition for Approval of Settlement (Settlement, Settlement Agreement, or Petition) filed on June 8, 2021 by the Commission's Bureau of Investigation and Enforcement (I&E) and Columbia Gas of PA, Inc. (Columbia Gas or the Company) (collectively, the Parties), with respect to an informal investigation conducted by I&E. Both Parties filed Statements in Support of the Settlement. The Parties submit that the proposed Settlement is in the public interest and is consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201, Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations. Petition at 10.

Before issuing a final decision on the merits of the proposed Settlement, and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), we shall publish the Settlement in the *Pennsylvania Bulletin* and provide an opportunity for interested parties to file comments regarding the proposed Settlement.¹

History of the Proceeding

This matter concerns alleged overpressurization events that occurred on Columbia Gas' Fayetteville and Rimersburg distribution systems. I&E initiated an informal investigation of Columbia Gas on February 8, 2019, as a result of information provided by its Gas Safety Division relating to these allegations. Specifically, the alleged overpressurizations occurred between January 9, 2018 and January 12, 2018 on Columbia Gas' Fayetteville distribution system and between May 16, 2018 and June 12, 2018 on Columbia Gas' Rimersburg system. Petition at 4 and 6—8.

I&E conducted multiple inspections of the sites and interviews with Columbia Gas employees. As part of its investigation, I&E also served one set of Data Requests to Columbia Gas on February 8, 2019, to which Columbia Gas responded on March 8, 2019. Petition at 5.

Thereafter, the Parties entered into negotiations and agreed to resolve the matter in accordance with the Commission's policy to promote settlements at 52 Pa. Code § 5.231. *Id.* The Parties filed the instant Settlement on June 8, 2021.

¹ As discussed, *infra*, because of the number of customers involved in the Settlement, including the customers who registered gas odor complaints with Columbia Gas in this matter, it is appropriate to publish the Settlement in the *Pennsylvania Bulletin*.

Background

The Rimersburg Distribution System

As described more fully in the Settlement, the first system, Rimersburg, serves 420 active customers, and was over-pressurized daily for nearly a month, from May 16, 2018, to June 12, 2018, when the bypass valve at Regulator Station 4046 allowed the system to overpressure 13 inches of water column above the maximum allowable operating pressure ("MAOP"). It was determined that this overpressure occurred because dried grease on the bypass valve to the main pipeline prevented the valve from sealing when a technician had applied new grease to the valve. Petition at 5-6, n. 2 and 3.

The Fayetteville Distribution System

The distribution system in Fayetteville serves 966 active customers. I&E found that between January 9, 2018 and January 12, 2018, the Ausherman Regulator Station, R-3523, located in Fayetteville, was overpressurized because a Columbia Gas technician failed to fully close the bypass valve after the valve had been opened to address a supply shortage. Petition at 6—8, n. 4 and 5. During the three (3) overpressure events, the open bypass valve allowed upstream pressure to the R-3523 Station to bypass the regulator set and cause the system to exceed the MAOP of 45 pounds per square inch gauge (psig), reaching a pressure of 107 psig, which is 160% of the MAOP. Petition at 7. I&E stated its understanding that three (3) overpressure events occurred on the following occasions:

a. On January 9, 2018 the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 77 psig.

b. On January 10, 2018, the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 52 psig.

c. From January 11, 2018 to January 12, 2018, the pressure exceeded the MAOP of 45 psig for twenty-one hours, reaching approximately 107 psig.

Petition at 7 and n. 4.

The Petition further states that on January 2, 2018, Columbia Gas detected low gas flow from the supplier, Texas Eastern, in the Fayetteville gas system. Columbia Gas responded and increased the flow by manually operating the bypass valve of this station to the supply the system. On January 12, 2018, a Columbia Gas technician determined that the system was overpressurized when repairing a meter that was struck by a vehicle. I&E Pipeline Safety inspectors were contacted by a Columbia Gas' Compliance Manager and notified of an overpressure in the Fayetteville area system of the Greencastle shop. Columbia Gas personnel informed the PUC inspectors of the overpressure, reported that the system was a two-way feed, and that no outages were reported due to the overpressure. The I&E Pipeline Safety inspectors alongside Columbia Gas personnel then inspected Station R-3523 and reviewed the pressure chart. It was discovered that when the chart was previously changed, the chart recorded the inlet pressure in the system which caused the time to be marked incorrectly and required the chart to be read several hours ahead of time. The R-3523 Station operates with an inlet MAOP of 125 psig, and outlet MAOP of 45 psig. With Columbia Gas' assistance reading the chart, it was determined that overpressure events occurred on three (3) occasions from January 9, 2018 to January 12, 2018. Petition at 7.

As noted in the Petition, Columbia Gas reported that subsequent to discovering the overpressure events, from January 12, 2018 to January 26, 2018, it received 62 odor of gas calls, both from the public and self-generated. Petition at 8. Importantly, of the 62 calls, 21 calls were deemed “Grade 1” leaks, or hazardous leaks requiring immediate repair. On February 16, 2018, following a leak survey, Columbia Gas reported a total of 193 leaks had been found in the Fayetteville system. Columbia Gas also indicated that the majority of identified leaks were from mechanical fitting failures for meter sets. I&E found that this exceedance of MAOP from an engineering view compromised the integrity of the system and warranted total replacement of the system. *Id.*

Terms and Conditions of the Settlement

The Parties submit that the Settlement has been filed to resolve all issues related to I&E’s informal investigation and represents a compromise by both I&E and Columbia Gas of their competing positions. The Parties further state that the Settlement constitutes a carefully crafted package representing reasonably negotiated compromises on the issues addressed therein. Petition at 11-12. The Parties urge the Commission to approve the Settlement in its entirety and without modification, as being in the public interest and consistent with the Commission’s Policy Statement at 52 Pa. Code § 69.1201 governing settled proceedings involving violations of the Public Utility Code and the Commission’s Regulations. Petition at 13.

The Settlement consists of the Joint Petition for Approval of Settlement containing the terms and conditions of the Settlement, Proposed Ordering Paragraphs (Appendix A to the Petition) and the respective Statements in Support of the Settlement of I&E (Appendix B to the Petition) and Columbia Gas, filed June 9, 2021 in this docket.

The essential terms of the Settlement are set forth in Paragraphs 23–32 of the Petition. Petition at 9–15. These terms and conditions are excerpted in relevant part (footnotes omitted for brevity), as follows:

23. Pursuant to the Commission’s policy of encouraging settlements that are reasonable and in the public interest, the Parties held a series of discussions that culminated in this Settlement. I&E and Columbia [Gas] desire to (1) resolve I&E’s informal investigation; and (2) settle this matter completely without litigation. The Parties recognize that given the inherent unpredictability of the outcome of a contested proceeding, there are mutual benefits of amicably resolving the disputed issues. The terms and conditions of the Settlement, for which the Parties seek Commission approval, are set forth below.

24. I&E and Columbia Gas, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement without modification shall create the following rights and obligations:

A. Civil Penalty

25. Columbia Gas agrees to pay a total civil penalty of \$535,000, identified as follows:

a. A civil penalty of \$400,000 for the alleged violation of 49 CFR § 192.195, and 49 CFR § 192.199, when Columbia Gas’ Rimersburg system had been overpressurized from May 16, 2018 to June 12, 2018 due to old dry and hardened grease on a bypass valve prohibiting new grease from forming a seal, and thus allowing gas to release;

b. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.201, when the pressure of Columbia Gas’s Fayetteville distribution system exceeded the MAOP plus 6 psig on January 9, January 10, January 11, and January 12, 2018;

c. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.619 when the pressure of the plastic pipelines in the Fayetteville system exceeded the MAOP of 45 psig on January 9, January 10, January 11, and January 12, 2018;

d. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.743 when the MAOP in the Fayetteville system, established by Columbia Gas, of 45 psig was exceeded due to gas by-passing at the pressure limiting and regulating devices at the Ausherman Regulation Station R-3523 on January 9, January 10, January 11, and January 12, 2018;

e. A civil penalty of \$25,000 for the alleged violation of 49 CFR § 192.605 due to Columbia Gas’ having trained its technicians to close a bypass valve by listening to any gas leaks, thereby leading to the valves’ incomplete closure and allowing gas to pass through the valve causing the Fayetteville system to overpressure;

f. A civil penalty of \$20,000 for the alleged violation of the Commission regulations at 52 Pa. Code § 59.33 promulgated under 66 Pa.C.S. § 1501. The Parties note that while the above action resulted in an increased danger to the public, no loss of life, personal injury, nor property damage occurred in connection with any of the matters set forth above.

g. Columbia Gas will not seek recovery of any portion of the total civil penalty amount of \$535,000 in any future ratemaking proceeding, and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f). Said payment shall be made by certified check payable to “Commonwealth of Pennsylvania” and forwarded to the Commission through the prosecuting attorney within sixty (60) days of the entry date of the Final Order approving this Settlement;

B. Voluntary Modification of Business Practices

26. In 2019, Columbia Gas implemented the Safety Management System (“SMS”), which is a comprehensive approach to managing safety, emphasizing continual assessment and improvement and mitigating potential risks before they happen. Columbia Gas will include the issues of bypass valves in its SMS process (including determining whether they are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves). Columbia [Gas] will update I&E on its findings and proposed process changes that result from SMS;

27. As part of its Gas Distribution Integrity Management Program (“DIMP”), Columbia Gas will include the issues of bypass valves (including the determination of whether bypass valves are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves) in its identification and ranking of risk, segment by segment, across its system:

a. As part of the process to integrate the valves into the DIMP plan, Columbia Gas will inventory all bypass valves in its system in Pennsylvania. The inventory will first focus on regulator stations on low pressure stations (to be completed by December 31,

2021) and stations with greater than 125 psig inlet pressure (to be completed by March 31, 2022). Columbia Gas will complete inventory of the remaining systems within two (2) years from the effective date of the settlement order;

b. In this inventory, Columbia Gas shall identify, at a minimum, manufacture, installation year, size, and whether the valve has a way to identify the position of the valve (whether it is on or off);

c. This inventory shall also include inlet and outlet pressures of the station;

d. From this list, Columbia Gas shall develop a process to rank the risk specifically on the bypass valves across the distribution system, and;

e. Columbia Gas shall develop a replacement schedule or preventative and mitigative measures to prevent bypass valves from bleeding though or failing.

28. Columbia Gas shall abide by its newly implemented procedures regarding the use of bypass valves so that technicians properly determine whether bypass valves are opened or closed and in proper working order;

29. In addition to the above-mentioned procedures regarding bypass valves, Columbia shall also abide by the following Operational Notice issued by NiSource Inc.:

a. Operational Notice 19-05: there is a minimum 30-minute requirement to monitor downstream pressure at the end of all work performed in a regulator station when that work has involved bypassing the station to ensure the downstream pressure has stabilized. This work shall always be performed with two qualified metering and regulation (“M&R”) personnel.

b. If a bypass valve is operated, Columbia [Gas] shall observe and record the downstream pressure on the following day and observe and record the downstream pressure. This process should occur on all stations with bypass valves until non-primary reliefs or remote pressure monitoring can be installed at these stations, at which time Columbia [Gas] should re-evaluate the need to continue this process.

30. Columbia Gas will improve its active monitoring, remote access and nonprimary reliefs on its regulator stations that include bypass valves.

a. With regard to low pressure systems, Columbia Gas will continue the program initiated in 2019, under which the Company began installing monitor regulators that are designed to slam shut when the pressure is either too low or too high for the systems to function correctly.

b. In addition to these slam shut regulators, on its low pressure systems Columbia Gas will continue to install remote monitoring devices that communicate directly with gas control that have set parameters that allow Columbia Gas to respond should pressure exceed either the high or low set points.

c. Regarding its entire distribution network, Columbia Gas will initiate a program to install remote electronic pressure monitoring devices which will warn Columbia Gas when pressures increase. Under that program, Columbia Gas will also:

(1) Install a non-primary relief for each system that utilizes a bypass valve to prevent future overpressures and prevent similar instances while giving Columbia Gas more information and time to respond to events;

(2) Prioritize systems identified as higher risk for installations of non-primary relief valves, and;

(3) Provide I&E with a timeframe for the installation of downstream monitors, slam shut regulators and bypass valves;

31. Columbia Gas will add fields to its inspection forms regarding bypass valves to record pressure measured at the beginning and end of the monitoring period established under Operational Notice 19-05.

32. Beginning April 27, 2021, Columbia Gas has implemented pilot Standard Operating Procedures regarding shut down and start up of District Regulator Stations. Following those standard operating procedures, Columbia [Gas] will ensure that the following items will be observed as part of each inspection:

a. Does the regulator station include a bypass valve? Y/N

b. Is the bypass valve marked to indicate when it is fully closed, Y/N, or does it have a stop? Y/N

c. How is the valve marked to indicate that it is fully closed?

In response and if the Settlement is approved by the Commission without modification, I&E agrees to forgo the institution of any formal complaint against Columbia Gas with respect to the alleged violations committed by Columbia Gas. Petition at 17; I&E Statement in Support at 13—15.

The proposed Settlement is conditioned on the Commission’s approval without modification of any of its terms or conditions. If the Commission does not approve the proposed Settlement or makes any change or modification to the proposed Settlement, either Party may elect to withdraw from the Settlement. Petition at 16.

Discussion

Pursuant to our Regulations at 52 Pa. Code § 5.231, it is the Commission’s policy to promote settlements. The Commission must, however, review proposed settlements to determine whether the terms are in the public interest. *Pa. PUC v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

In reviewing settlements that resolve informal investigations, the Commission will provide other potentially affected parties with the opportunity to file comments regarding a proposed settlement prior to issuing a decision. The Commission’s Regulations at 52 Pa. Code § 3.113(b) provide as follows:

§ 3.113. Resolution of informal investigations.

* * *

(b) Under 65 Pa.C.S. Chapter 7 (relating to Sunshine Act), the Commission’s official actions resolving informal investigations will be as follows:

* * *

(3) When the utility, or other person subject to the Commission’s jurisdiction, has committed to undertake action to address or remedy a violation or potential violation of the act or to resolve another perceived deficiency at the utility, in the form of a settlement with the Commission staff or other resolution of the matter, the Commission’s consideration of the settlement or approval of the utility’s action will occur at public meeting. Except for staff reports and other documents covered by a specific legal privilege, documents relied upon by the Commission in reach-

ing its determination shall be made part of the public record. *Before the Commission makes a final decision to adopt the settlement or to approve the utility's action, the Commission will provide other potentially affected persons with the opportunity to submit exceptions thereon or to take other action provided for under law.*

52 Pa. Code § 3.113(b) (emphasis added). See also *Pa. PUC, Bureau of Investigation and Enforcement v. PPL Electric Utilities Corporation*, Docket No. M-2012-2264635 (Order entered September 13, 2012); *Pa. PUC, Bureau of Investigation and Enforcement v. Liberty Power Holdings, LLC*, Docket No. M-2019-2568471 (Order entered August 8, 2019).

Conclusion

Before issuing a decision on the merits of the proposed Settlement, and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), and for the reason(s) stated above, we believe it is appropriate to provide interested parties an opportunity to file comments on the proposed Settlement. Therefore, we will: (1) publish this Opinion and Order and a copy of the proposed Settlement (including Appendices) and Statements in Support, attached hereto, in the *Pennsylvania Bulletin*; and (2) provide an opportunity for interested parties to file comments regarding the proposed Settlement within twenty-five days of the date of publication in the *Pennsylvania Bulletin*; *Therefore,*

It Is Ordered That:

1. The Secretary's Bureau shall duly certify this Opinion and Order along with the attached Joint Petition for Approval of Settlement (including Appendices) and the

Statements in Support thereof, at Docket No. M-2021-3005572, and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

2. Within twenty-five (25) days of the date that this Opinion and Order and the attached Joint Petition for Approval of Settlement (including Appendices) and the Statements in Support thereof are published in the *Pennsylvania Bulletin*, interested parties may file comments concerning the proposed Settlement. Comments to the proposed Settlement shall be filed with the Commission through efilng. Please know that at this time all parties wanting to file with the Commission and participate in proceedings before the Commission must open an efilng account free of charge through our website and accept eservice. This is in accordance with the Commission's Emergency Order at Docket No. M-2020-3019262. An efilng account may be opened at our website, <https://www.puc.pa.gov/efiling/default.aspx>.

3. A copy of this Opinion and Order, together with the attached Joint Petition for Approval of Settlement (including Appendices) and the Statements in Support thereof, at Docket No. M-2021-3005572, shall be served on the Office of Consumer Advocate and the Office of Small Business Advocate.

4. Subsequent to the Commission's review of any comments filed in this proceeding, at Docket No. M-2021-3005572, a final Opinion and Order will be issued by the Commission.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: February 3, 2022

ORDER ENTERED: February 3, 2022

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement,
Complainant

v.

Columbia Gas of PA, Inc.
Respondent

Docket No.: M-2021-3005572

JOINT PETITION FOR APPROVAL OF SETTLEMENT

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.41, 5.232 and 3.113(b)(3), the Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E") and Columbia Gas of Pennsylvania, Inc. ("Columbia," "Columbia Gas," or "Company") hereby submit this Joint Petition for Approval of Settlement ("Settlement" or "Settlement Agreement") to resolve all issues related to the informal investigation conducted by the I&E Safety Division regarding two separate overpressurization incidents on Columbia's system that occurred in Rimersburg, PA between May 16 and June 12, 2018 in and Fayetteville, PA between January 9 and 12, 2018.

As part of this Settlement Agreement, I&E and Columbia (hereinafter referred to collectively as the "Parties") respectfully request that the Commission enter a Final Opinion and Order approving the Settlement, without

modification. Proposed Ordering Paragraphs are attached as Appendix A and I&E Statement in Support is attached as Appendix B. The Statement in Support of the Settlement expressing the views Columbia is filed concomitantly herewith.

I. Introduction

1. The Parties to this Settlement Agreement are the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement, by its prosecuting attorneys, 400 North Street, Commonwealth Keystone Building, Harrisburg, PA 17120, and Columbia Gas of Pennsylvania, Inc., with a principal place of business of 121 Champion Way, Suite 100, Canonsburg, PA 15317.

2. The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within this

Commonwealth, as well as other entities subject to its jurisdiction, pursuant to the Public Utility Code (“Code”), 66 Pa.C.S. §§ 101, et seq.

3. I&E is the entity established to prosecute complaints against public utilities and other entities subject to the Commission’s jurisdiction pursuant to 66 Pa.C.S. § 308.2(a)(11); see also Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E).

4. Section 501(a) of the Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Code.

5. Section 701 of the Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints alleging a violation of any law, regulation, or order that the Commission has jurisdiction to administer.

6. Section 3301(c) of the Code, 66 Pa.C.S. § 3301(c), which is specific to gas pipeline safety violations, authorizes the Commission to impose civil penalties on any person or corporation, defined as a public utility, who violates any provisions of the Code or any regulation or order issued thereunder governing the safety of pipeline or conduit facilities in the transportation of natural gas, flammable gas, or gas which is toxic or corrosive. Section 3301(c) further provides that a civil penalty of up to Two Hundred Thousand Dollars (\$200,000) per violation for each day that the violation persists may be imposed, except that for any related series of violations, the maximum civil penalty shall not exceed Two Million Dollars (\$2,000,000) or the penalty amount provided under Federal pipeline safety laws, whichever is greater.

7. Civil penalties for violations of Federal pipeline safety laws and regulations are adjusted annually to account for changes in inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub.L. 114-74, § 701, 129 Stat. 599, 28 U.S.C. § 2461 note (Nov. 2, 2015) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990). The most pertinent adjustment made by the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (“PHMSA”) occurred in April of 2017 and revises the maximum civil penalty to Two Hundred Nine Thousand, Two Dollars (\$209,002) for each violation for each day the violation continues, with a maximum penalty not to exceed Two Million, Ninety Thousand, Twenty-Two Dollars (\$2,090,022) for a related series of violations. 82 Fed. Reg. 19325 (April 27, 2017).

8. Pursuant to Section 59.33(b) of the Commission’s regulations, 52 Pa. Code § 59.33(b), I&E’s Safety Division has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101–60503 and as implemented at 49 CFR Parts 191–193, 195 and 199. The federal pipeline safety laws and regulations proscribe the minimum safety standards for all natural gas and hazardous liquid public utilities in the Commonwealth.

9. Columbia is a “public utility” as that term is defined at 66 Pa.C.S. § 102,² as it is engaged in providing public utility service as a natural gas distribution company (“NGDC”) to the public for compensation. Columbia

² At 66 Pa.C.S. § 102, “Public utility” is defined under that term at subsection (1)(i) as:

(1) Any person or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for:

(i) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, or power to or for the public for compensation.

serves more than 440,000 customers in 26 counties in western, central, and south-central Pennsylvania.

10. Columbia, in providing natural gas distribution service to the public for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders, including Federal pipeline safety laws and regulations.

11. Pursuant to the provisions of the applicable Commonwealth and Federal statutes and regulations, the Commission has jurisdiction over the subject matter and the alleged actions of Columbia related thereto.

12. This matter involves allegations related to overpressurization events which occurred in Columbia’s distribution systems in Rimersburg, Pennsylvania and Fayetteville, Pennsylvania.

13. As a result of successful negotiations between I&E and Columbia, the parties have reached an agreement on an appropriate outcome to the informal investigation as encouraged by the Commission’s policy to promote settlements. See 52 Pa. Code § 5.231. The duly authorized parties executing this Settlement Agreement agree to the settlement terms set forth herein and urge the Commission to approve the Settlement as submitted as being in the public interest.

14. I&E initiated an informal investigation of Columbia on February 8, 2019, as a result of information provided by the Commission’s Safety Division relating to allegations of overpressurization events that occurred in Columbia’s Fayetteville and Rimersburg systems.

15. The I&E Safety Division conducted multiple inspections of the sites, and interviews with Columbia employees.

16. As part of its investigation, I&E served one set of Data Requests to Columbia on February 8, 2019, to which Columbia responded on March 8, 2019.

The results of I&E’s investigation, which included a review of the Company’s responses to I&E’s data requests, formed the basis for the instant Settlement Agreement.

II. I&E’s Informal Investigation

A. Distribution System in Rimersburg, Pennsylvania

17. The first system, Rimersburg, serves 420 active customers, and was over-pressurized daily for nearly a month, from May 16, 2018, to June 12, 2018, when the bypass valve at Regulator Station 4046 allowed the system to over-pressure 13 inches of water column above the maximum allowable operating pressure (“MAOP”).³

³ On June 12, 2018, a Columbia Gas regulator technician discovered that the Rimersburg system recently underwent an overpressure event while changing the pressure charts at the Cherry Run Regulator Station R-4046. The Station R-4046 pressure recording chart showed that from May 16, 2018, to June 12, 2018, the pipeline system, 37022302, had daily spikes up to 27 inches of water column. This system was a two-way feed with regulator stations at each end, and had a MAOP of 14 inches of water column. Station R-4046 had an inlet MAOP of 125 pounds per square inch gauge (“psig”) and outlet MAOP of 110 psig.

Columbia Gas technicians then arrived at the station, installed pressure gauges, deactivated all affected customer meters, and discovered 13 meter sets were affected along the approximately 3,000 feet of main line. The technicians verified that when they reactivated the system, a blockage was detected in the main line.

I&E Pipeline Safety inspectors later arrived at the station to witness Columbia Gas technicians locate the water blockage in the main line. The technicians detected the water blockage in the bare steel main line, found the line to be corroded, and discovered a water leak after an attempt to repair the line. Columbia Gas identified this as a Grade 2 leak. Columbia Gas then installed a drip tank on this line, and verified that the overpressure events did not damage any inside house lines or appliances. The I&E Pipeline Safety inspectors also ordered Columbia Gas to perform leak surveys every six hours on the line. On June 15, 2018, Columbia Gas installed numerous clamps on the line to repair the leaks.

18. It was determined that this overpressure occurred because dried grease on the bypass valve to the main pipeline prevented the valve from sealing when a technician had applied new grease to the valve.⁴

B. Distribution System in Fayetteville, Pennsylvania

19. The second system in Fayetteville serves 966 active customers. I&E found that between January 9, 2018 and January 12, 2018, the Ausherman Regulator Station, R-3523, located in Fayetteville, was over-pressurized because a technician failed to fully close the bypass valve after the valve had been opened to address a supply shortage.⁵

20. During the three (3) overpressure events, the open bypass valve allowed upstream pressure to the R-3523 Station to bypass the regulator set and cause the system to exceed the MAOP of 45 psig, reaching a pressure of 107 psig, which is 160% of the MAOP. I&E understands that three (3) overpressure events occurred on the following occasions:

- a. On January 9, 2018 the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 77 psig.
- b. On January 10, 2018, the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 52 psig.
- c. From January 11, 2018 to January 12, 2018, the pressure exceeded the MAOP of 45 psig for twenty-one hours, reaching approximately 107 psig.

21. Columbia Gas reported that subsequent to discovering the overpressure events, from January 12, 2018 to January 26, 2018, it received 62 odor of gas calls, both from the public and self-generated. Of the 62 calls, 21 calls were deemed “Grade 1” leaks, or hazardous leaks requiring immediate repair. On February 16, 2018, following a leak survey, Columbia Gas reported a total of 193 leaks had been found in the Fayetteville system. Columbia Gas also noted that the majority of identified leaks were from mechanical fitting failures for meter sets. I&E found that this exceedance of MAOP from an engineering view compromised the integrity of the system and warranted total replacement of the system.⁶

III. Alleged Violations

22. Had this matter been fully litigated, I&E would have proffered evidence and legal arguments to support

⁴ On June 19, 2018, I&E Pipeline Safety inspectors witnessed this valve being tested by Columbia Gas technicians. The valve was a 2” Nordstrom Valve Fix 143 Number 5265. The valve testing took place at the Company’s York location, with a Company employee performing the test by connecting two pieces of pipe to either side of the valve and then putting air pressure on a side to indicate if air would leak. The Columbia Gas technician put 52 psig in the pipe and it immediately leaked through the valve. Columbia Gas believes that during the routine inspection, when the valve was turned and regreased, new grease failed to enter the valve which caused it not to form a tight seal. After a second test, the valve did not leak any further air pressure.

⁵ On January 2, 2018, Columbia Gas detected low gas flow from the supplier, Texas Eastern, in the Fayetteville gas system. Columbia Gas responded and increased the flow by manually operating the bypass valve of this station to the supply the system.

On January 12, 2018, a Columbia Gas technician determined that the system was overpressurized when repairing a meter that was struck by a vehicle. I&E Pipeline Safety inspectors were contacted by a Columbia Gas’ Compliance Manager and notified of an overpressure in the Fayetteville area system of the Greencastle shop. Columbia Gas personnel informed the PUC inspectors of the overpressure, reported that the system was a two-way feed, and that no outages were reported due to the overpressure.

The I&E Pipeline Safety inspectors alongside Columbia Gas personnel then inspected Station R-3523, and reviewed the pressure chart. It was discovered that when the chart was previously changed, the chart recorded the inlet pressure in the system which caused the time to be marked incorrectly, and required the chart to be read several hours ahead of time. The R-3523 Station operates with an inlet MAOP of 125 psig, and outlet MAOP of 45 psig. With Columbia Gas’ assistance reading the chart, it was determined that overpressure events occurred on three (3) occasions from January 9, 2018 to January 12, 2018.

⁶ The total system is approximately 25 miles of pipeline consisting of 3,173 feet of bare steel, 43,463 feet of coated steel, and 85,790 feet of plastic. Included in the plastic pipe is a possible 3,050 feet of Aldyl-A.

its allegations that Columbia committed the following violations: 49 CFR § 192.195 (protection against accidental overpressure); 49 CFR § 192.199 (requirements for design of pressure relief and limiting devices); 49 CFR § 192.201 (relating to required capacity of pressure relieving and limiting stations); 49 CFR § 192.605 (relating to procedural manual for operations, maintenance, and emergencies.); 49 CFR § 192.619 (relating to maximum allowable operating pressure—steel or plastic pipelines); and 49 CFR § 192.743 (relating to pressure limiting and regulating stations: capacity of relief devices) and 66 Pa.C.S. § 1501 (relating to the provision of reasonable, safe and adequate operation of utility services to the public).⁷

IV. Settlement Terms

23. Pursuant to the Commission’s policy of encouraging settlements that are reasonable and in the public interest, the Parties held a series of discussions that culminated in this Settlement. I&E and Columbia desire to (1) resolve I&E’s informal investigation; and (2) settle this matter completely without litigation. The Parties recognize that given the inherent unpredictability of the outcome of a contested proceeding, there are mutual benefits of amicably resolving the disputed issues. The terms and conditions of the Settlement, for which the Parties seek Commission approval, are set forth below.

24. I&E and Columbia Gas, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement without modification shall create the following rights and obligations:

A. Civil Penalty

25. Columbia Gas agrees to pay a total civil penalty of \$535,000, identified as follows:⁸

- a. A civil penalty of \$400,000 for the alleged violation of 49 CFR § 192.195, and 49 CFR § 192.199, when Columbia Gas’ Rimersburg system had been overpressurized from May 16, 2018 to June 12, 2018 due to old dry and hardened grease on a bypass valve prohibiting new grease from forming a seal, and thus allowing gas to release;
- b. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.201, when the pressure of Columbia Gas’s Fayetteville distribution system exceeded the MAOP plus 6 psig on January 9, January 10, January 11, and January 12, 2018;
- c. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.619 when the pressure of the plastic pipelines in the Fayetteville system exceeded the MAOP of 45 psig on January 9, January 10, January 11, and January 12, 2018;
- d. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.743 when the MAOP in the Fayetteville system, established by Columbia Gas, of 45 psig was exceeded due to gas by-passing the

⁷ I&E recognizes 49 U.S.C. 60101 et seq., and any regulation or order issued thereunder as implemented the Pennsylvania Public Utility Code at 52 Pa. Code § 59.33, which states:

The minimum safety standards for all natural gas and hazardous liquid public utilities in this Commonwealth shall be those issued under the pipeline safety laws as found in 49 U.S.C.A. §§ 60101–60503 and as implemented at 49 CFR Parts 191–193, 195 and 199, including all subsequent amendments thereto.

⁸ The following civil penalty terms are consistent with the Federal pipeline safety regulations under 49 U.S.C. § 60101 et seq., and implemented in 66 Pa. Code § 3301, which at the time of the overpressure incidents requires a \$209,002 maximum civil penalty for each violation for each day the violation continues, with a maximum penalty not to exceed \$2,090,022 for a related series of violations. 49 U.S.C. § 60101 et seq.

pressure limiting and regulating devices at the Ausherman Regulation Station R-3523 on January 9, January 10, January 11, and January 12, 2018;

e. A civil penalty of \$25,000 for the alleged violation of 49 CFR § 192.605 due to Columbia Gas having trained its technicians to close a bypass valve by listening to any gas leaks, thereby leading to the valves' incomplete closure and allowing gas to pass through the valve causing the Fayetteville system to overpressure;

f. A civil penalty of \$20,000 for the alleged violation of the Commission regulations at 52 Pa. Code § 59.33 promulgated under 66 Pa.C.S. § 1501. The Parties note that while the above action resulted in an increased danger to the public, no loss of life, personal injury, nor property damage occurred in connection with any of the matters set forth above.

g. Columbia Gas will not seek recovery of any portion of the total civil penalty amount of \$535,000 in any future ratemaking proceeding, and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f). Said payment shall be made by certified check payable to "Commonwealth of Pennsylvania" and forwarded to the Commission through the prosecuting attorney within sixty (60) days of the entry date of the Final Order approving this Settlement;

B. *Voluntary Modification of Business Practices*

26. In 2019, Columbia Gas implemented the Safety Management System ("SMS"), which is a comprehensive approach to managing safety, emphasizing continual assessment and improvement and mitigating potential risks before they happen. Columbia Gas will include the issues of bypass valves in its SMS process (including determining whether they are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves). Columbia will update I&E on its findings and proposed process changes that result from SMS;

27. As part of its Gas Distribution Integrity Management Program ("DIMP"), Columbia Gas will include the issues of bypass valves (including the determination of whether bypass valves are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves) in its identification and ranking of risk, segment by segment, across its system:

a. As part of the process to integrate the valves into the DIMP plan, Columbia Gas will inventory all bypass valves in its system in Pennsylvania. The inventory will first focus on regulator stations on low pressure stations (to be completed by December 31, 2021) and stations with greater than 125 psig inlet pressure (to be completed by March 31, 2022). Columbia Gas will complete inventory of the remaining systems within two (2) years from the effective date of the settlement order;

b. In this inventory, Columbia Gas shall identify, at a minimum, manufacture, installation year, size, and whether the valve has a way to identify the position of the valve (whether it is on or off);

c. This inventory shall also include inlet and outlet pressures of the station;

d. From this list, Columbia Gas shall develop a process to rank the risk specifically on the bypass valves across the distribution system, and;

e. Columbia Gas shall develop a replacement schedule or preventative and mitigative measures to prevent bypass valves from bleeding though or failing.

28. Columbia Gas shall abide by its newly implemented procedures regarding the use of bypass valves so that technicians properly determine whether bypass valves are opened or closed and in proper working order;⁹

29. In addition to the above-mentioned procedures regarding bypass valves, Columbia shall also abide by the following Operational Notice issued by NiSource Inc.:

a. Operational Notice 19-05: there is a minimum 30-minute requirement to monitor downstream pressure at the end of all work performed in a regulator station when that work has involved bypassing the station to ensure the downstream pressure has stabilized. This work shall always be performed with two qualified metering and regulation ("M&R") personnel.

b. If a bypass valve is operated, Columbia shall observe and record the downstream pressure on the following day and observe and record the downstream pressure. This process should occur on all stations with bypass valves until non-primary reliefs or remote pressure monitoring can be installed at these stations, at which time Columbia should reevaluate the need to continue this process.

30. Columbia Gas will improve its active monitoring, remote access and non-primary reliefs on its regulator stations that include bypass valves.

a. With regard to low pressure systems, Columbia Gas will continue the program initiated in 2019, under which the Company began installing monitor regulators that are designed to slam shut when the pressure is either too low or too high for the systems to function correctly.

b. In addition to these slam shut regulators, on its low pressure systems Columbia Gas will continue to install remote monitoring devices that communicate directly with gas control that have set parameters that allow Columbia Gas to respond should pressure exceed either the high or low set points.

c. Regarding its entire distribution network, Columbia Gas will initiate a program to install remote electronic pressure monitoring devices which will warn Columbia Gas when pressures increase. Under that program, Columbia Gas will also:

(1) Install a non-primary relief for each system that utilizes a bypass valve to prevent future overpressures and prevent similar instances while giving Columbia Gas more information and time to respond to events;

(2) Prioritize systems identified as higher risk for installations of non-primary relief valves, and;

(3) Provide I&E with a timeframe for the installation of downstream monitors, slam shut regulators and bypass valves;

31. Columbia Gas will add fields to its inspection forms regarding bypass valves to record pressure measured at the beginning and end of the monitoring period established under Operational Notice 19-05.

⁹ Such procedures, which include specific steps relating to verification of closed valves, have been added to Columbia Gas' bypass valve operation procedures. Those steps include:

- Screwing the control regulator all the way down (wide open);
- Determining the monitor regulator set-point as indicated in the regulator inspection record;
- Adjusting the bypass valve to achieve an outlet pressure setting lower than the desired monitor regulator and set-point;
- Slowly increasing the monitor regulator set-point and have the bypass valve operator start to close the bypass valve as the monitor regulator picks up the load on the system;
- Verifying that the bypass valve is fully closed; and
- Adjusting the control regulator to its desired set-point.

32. Beginning April 27, 2021, Columbia Gas has implemented pilot Standard Operating Procedures regarding shut down and start up of District Regulator Stations. Following those standard operating procedures, Columbia will ensure that the following items will be observed as part of each inspection:

- a. Does the regulator station include a bypass valve? Y/N
- b. Is the bypass valve marked to indicate when it is fully closed, Y/N, or does it have a stop? Y/N
- c. How is the valve marked to indicate that it is fully closed?

V. Conditions of Settlement

33. The benefits and obligations of this Joint Petition for Approval of Settlement shall be binding upon the successors and assigns of the parties to the Settlement.

34. This Joint Petition may be signed in counterparts and all signatures attached hereto will be considered as originals.

35. In order to effectuate the parties' Joint Petition for Approval of Settlement, the undersigned parties request that the Commission issue a Final Order approving the Petition without modification.

36. The Parties agree that any party may petition the Commission for a hearing or take other recourse allowed under the Commission's rules if the Commission Order substantively modifies the terms of this Joint Petition for Approval of Settlement. In that event, any party may give notice to the other that it is withdrawing from this Joint Petition for Approval of Settlement. Such notice must be in writing and must be given within twenty (20) business days of the issuance of the Final Order which adopts this Joint Petition for Approval of Settlement with substantive modifications of its terms. The consequence of any party withdrawing from this Joint Petition for Approval of Settlement as set forth above is that all issues associated with the requested relief presented in the proceeding will be fully litigated by the filing of a Formal Complaint unless otherwise stipulated between the parties and all obligations of the parties to each other set forth herein are terminated and of no force and effect. In the event that a party withdraws from this Joint Petition for Approval of Settlement as set forth in this paragraph, I&E and Columbia Gas jointly agree that nothing in this Joint Petition shall be construed as an admission against or as prejudice to any position which any party might adopt during litigation of this case.

37. I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement is in the public interest and is fully consistent with the Commission's Policy Statement for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations, 52 Pa. Code § 69.1201. The Commission will serve the public interest by adopting this Joint Petition for Approval of Settlement.

38. The Joint Petition for Approval of Settlement avoids the time and expense of litigation in this matter before the Commission, which likely would entail the filing of a Formal Complaint, the preparation for and attendance at hearings, and the preparation and filing of testimony, briefs, reply briefs, exceptions, and reply exceptions. The Parties further recognize that their positions and claims are disputed and, given the inherent unpredictability of the outcome of a contested proceeding, the Parties recognize the benefits of amicably resolving the disputed issues through settlement.

39. Since the Parties agree to the terms of the Joint Petition for Approval of Settlement, adopting it will eliminate the possibility of any appeal from the Commission Secretarial Letter or Order, thus avoiding the additional time and expense that they might incur in such an appeal.

40. This Settlement consists of the entire agreement between I&E and Columbia Gas regarding the matters addressed herein. Moreover, this Settlement represents a complete settlement of I&E's informal investigation against Columbia Gas' alleged violations of the Public Utility Code and the Commission's regulations as discussed in more detail in Section II. The Parties expressly acknowledge that this Settlement Agreement represents a compromise of positions and does not in any way constitute a finding or an admission concerning the alleged violations of the Public Utility Code and the Commission's regulations. This Settlement shall be construed and interpreted under Pennsylvania Law.

41. The Settlement contains a summary of alleged violations of the Public Utility Code and the Commission's regulations. See, Section III, Alleged Violations. In addition, the Settlement Terms contains Proposed Settlement Terms. See, Section IV, Settlement Terms. None of the provisions in this Settlement, including Sections III and IV of the proposed Settlement, shall be considered or shall constitute an admission, a finding of any fact, or a finding of culpability on the part of Columbia in this or any other proceeding. This Settlement is presented without prejudice to any position that either party may have advanced, and without prejudice to the position any party may advance, in the future on the merits of the issues in future proceedings, except to the extent necessary to effectuate the terms and conditions of this Settlement.

42. The terms and conditions of this Settlement Agreement constitute a carefully crafted package representing reasonably negotiated compromises on the issues addressed herein. Thus, the Settlement Agreement is consistent with the Commission's rules and practices encouraging negotiated settlements set forth in 52 Pa. Code §§ 5.231 and 69.1201.

Wherefore, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement and Columbia Gas of PA, Inc. respectfully request that the Commission enter an Order approving the terms of the Joint Petition for Approval of Settlement in their entirety and without modification as being in the public interest.

Respectfully submitted,

By:

Theodore J. Gallaher, Esq.
Columbia Gas of PA, Inc.
121 Champion Way
Suite 100
Canonsburg, PA 15317
tjgallagher@nisource.com
Counsel for Columbia Gas of PA, Inc.

Date: June 8, 2021

By:

Matthew C. Fallings, Esq.
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
mfallings@pa.gov
Counsel for Bureau of Investigation & Enforcement

Date: June 8, 2021

**Appendix A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|--|---|----------------------------|
| Pennsylvania Public Utility Commission, | : | |
| Bureau of Investigation and Enforcement, | : | |
| Complainant | : | |
| | : | |
| v. | : | Docket No.: M-2021-3005572 |
| | : | |
| Columbia Gas of PA, Inc. | : | |
| Respondent | : | |

PROPOSED ORDERING PARAGRAPHS

1. That the Joint Settlement Petition filed on May 12, 2021 between the Commission’s Bureau of Investigation and Enforcement and Columbia Gas of PA, Inc. (“Columbia”) is approved in its entirety without modifications.

2. That, in accordance with Section 3301(c) of the Public Utility Code, 66 Pa.C.S. § 3301(c), within sixty (60) days of the date this Order becomes final, Columbia shall pay a civil penalty of Five-Hundred and Thirty-Five Thousand Dollars (\$535,000.00). Said payment shall be made by certified check or money order payable to “Commonwealth of Pennsylvania” and shall be sent to:

Secretary
Pennsylvania Public Utility Commission

Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

3. That no amount of the civil penalty shall be passed through as an additional charge to Columbia’s customers in Pennsylvania.

4. Columbia is directed to file a sworn certification with the Commission showing its compliance with this settlement term within two (2) years of the date of entry of the Final Order in this proceeding.

5. A copy of this Opinion and Order shall be served upon the Financial and Assessment Chief, Bureau of Administration.

6. That the above-captioned matter shall be marked closed upon receipt of the civil penalty.

**Appendix B
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|---|---|----------------------------|
| Pennsylvania Public Utility Commission, | : | |
| Bureau of Investigation and Enforcement | : | |
| Complainant | : | |
| | : | |
| v. | : | Docket No.: M-2021-3005572 |
| | : | |
| Columbia Gas of PA, Inc. | : | |
| Respondent | : | |

**THE BUREAU OF INVESTIGATION AND ENFORCEMENT’S
STATEMENT IN SUPPORT OF THE
JOINT PETITION FOR APPROVAL OF SETTLEMENT**

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.231, 5.232 and 69.1201, the Pennsylvania Public Utility Commission’s (“Commission” or “PUC”) Bureau of Investigation and Enforcement (“I&E”), a signatory party to the Joint Petition for Approval of Settlement (“Settlement” or “Settlement Agreement”) filed in the matter docketed above (“Informal Investigation”), submits this Statement in Support of the Settlement Agreement between I&E and Columbia Gas of PA, Inc. (“Columbia,” “Columbia Gas” or “Company”).¹⁰ I&E avers that the terms and conditions of the Settlement

agreement are just and reasonable and in the public interest for the reasons set forth below herein.

I. Background

I&E’s informal investigation concerns overpressure incidents which occurred at Columbia Gas’ distribution network in Rimersburg, Pennsylvania and Fayetteville, Pennsylvania, both of which involved bypass valves allowing excess gas into the system due to leaks in the valve.

A. Distribution System in Rimersburg, Pennsylvania

This matter began on or about June 12, 2018, when a Columbia Gas regulator technician discovered that the Rimersburg system recently underwent an overpressure event while changing the pressure charts at the Cherry

¹⁰ I&E and Columbia are collectively referred to herein as the “Parties.”

Run Regulator Station R-4046. The Station R-4046 pressure recording chart showed that from May 16, 2018, to June 12, 2018, the pipeline system, 37022302, had daily spikes up to 27 inches of water column. This system was a two-way feed with regulator stations at each end and had a MAOP of 14 inches of water column. Station R-4046 had an inlet MAOP of 125 pounds per square inch gauge (“psig”) and outlet MAOP of 110 psig.

Columbia Gas technicians then arrived at the station, installed pressure gauges, deactivated all affected customer meters, and discovered 13-meter sets were affected along the approximately 3,000 feet of main line. The technicians verified that when they reactivated the system, a blockage was detected in the main line.

I&E Pipeline Safety inspectors later arrived at the station to witness Columbia Gas technicians locate the water blockage in the main line. The technicians detected the water blockage in the bare steel main line, found the line to be corroded, and discovered a water leak after an attempt to repair the line. Columbia Gas identified this as a Grade 2 leak. Columbia Gas then installed a drip tank on this line and verified that the overpressure events did not damage any inside house lines or appliances. The I&E Pipeline Safety inspectors also ordered Columbia Gas to perform leak surveys every six hours on the line. On June 15, 2018, Columbia Gas installed numerous clamps on the line to repair the leaks.

I&E determined that this overpressure occurred because dried grease on the bypass valve to the main pipeline prevented the valve from sealing when a technician had applied new grease to the valve. On June 19, 2018, I&E Pipeline Safety inspectors witnessed this valve being tested by Columbia Gas technicians. The valve was a 2” Nordstrom Valve Fix 143 Number 5265. The valve testing took place at the Company’s York location, with a Company employee performing the test by connecting two pieces of pipe to either side of the valve and then putting air pressure on a side to indicate if air would leak. The Columbia Gas technician put 52 psig in the pipe, and it immediately leaked through the valve. Columbia Gas believes that during the routine inspection, when the valve was turned and regreased, new grease failed to enter the valve which caused it not to form a tight seal. After a second test, the valve did not leak any further air pressure.

B. Distribution System in Fayetteville, Pennsylvania

The second system in Fayetteville serves 966 active customers. I&E found that between January 9, 2018 and January 12, 2018, the Ausherman Regulator Station, R-3523, located in Fayetteville, was over-pressurized because a technician failed to fully close the bypass valve after the valve had been opened to address a supply shortage.

On January 12, 2018, a Columbia Gas technician determined that the system was overpressurized when repairing a meter that was struck by a vehicle. I&E Pipeline Safety inspectors were contacted by a Columbia Gas’ Compliance Manager and notified of an overpressure in the Fayetteville area system of the Greencastle shop. Columbia Gas personnel informed the PUC inspectors of the overpressure, reported that the system was a two-way feed, and that no outages were reported due to the overpressure.

The I&E Pipeline Safety inspectors alongside Columbia Gas personnel then inspected Station R-3523 and reviewed the pressure chart. It was discovered that when the chart was previously changed, the chart recorded the

inlet pressure in the system which caused the time to be marked incorrectly and required the chart to be read several hours ahead of time. The R-3523 Station operates with an inlet MAOP of 125 psig, and outlet MAOP of 45 psig. With Columbia Gas’ assistance reading the chart, it was determined that overpressure events occurred on three (3) occasions from January 9, 2018 to January 12, 2018.

During the three (3) overpressure events, the open bypass valve allowed upstream pressure to the R-3523 Station to bypass the regulator set and cause the system to exceed the MAOP of 45 psig, reaching a pressure of 117 psig, which is 160% of the MAOP. I&E understands that three (3) overpressure events occurred on the following occasions:

1. On January 9, 2018, the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 77 psig.
2. On January 10, 2018, the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 52 psig.
3. From January 11, 2018 to January 12, 2018, the pressure exceeded the MAOP of 45 psig for twenty-one hours, reaching approximately 107 psig.

Columbia Gas reported that subsequent to discovering the overpressure events, from January 12, 2018 to January 26, 2018, it received 62 odor of gas calls, both from the public and self-generated. Of the 62 calls, 21 calls were deemed “Grade 1” leaks, or hazardous leaks requiring immediate repair. On February 16, 2018, following a leak survey, Columbia Gas reported a total of 193 leaks had been found in the Fayetteville system. Columbia Gas also noted that the majority of identified leaks were from mechanical fitting failures for meter sets. I&E found that this exceedance of MAOP from an engineering view compromised the integrity of the system and warranted total replacement of the system.

II. The Public Interest

Pursuant to the Commission’s policy of encouraging settlements that are reasonable and in the public interest, the Parties held a series of settlement discussions. These discussions culminated in this Settlement Agreement, which, once approved, will resolve all issues related to I&E’s Informal Investigation involving allegations related to the overpressurization events at Columbia’s distribution systems in Rimersburg, Pennsylvania and Fayetteville, Pennsylvania.

The terms of the Settlement Agreement, as discussed in more detail below, fully address all allegations brought forth against Columbia and provide not only a civil penalty, but a voluntary modification of Columbia’s operational practices. I&E’s approach of seeking a civil penalty and a modification of operational practices provides a corrective measure to both that Columbia operates its facilities and uses equipment within the standards expected by the PUC, as well as ensure that future customers are not harmed by the Columbia’s operational practices or equipment.

I&E intended to issue a Formal Complaint which would set forth the factual allegations to be litigated at a hearing to which Columbia would have disputed. This Settlement Agreement results from the compromises of the Parties. I&E recognizes that, given the inherent unpredictability of the outcome of a contested proceeding, not to mention the potential challenges facing the Parties due to COVID-19 if this matter were litigated, the

benefits to amicably resolve the disputed issues through settlement outweigh the risks and expenditures of litigation. I&E submits that the settlement constitutes a reasonable, fair compromise of the issues discovered from I&E's Informal Investigation and is in the public interest. As such, I&E respectfully requests that the Commission approve the Settlement without modification.

III. Terms of Settlement

Under the terms of the Settlement Agreement, I&E and Columbia have agreed to the following:

A. Civil Penalty

1. Columbia Gas agrees to pay a total civil penalty of \$535,000, identified as follows:¹¹

a. A civil penalty of \$400,000 for the alleged violation of 49 CFR § 192.195, and 49 CFR § 192.199, when Columbia Gas' Rimersburg system had been overpressurized from May 16, 2018 to June 12, 2018 due to old dry and hardened grease on a bypass valve prohibiting new grease from forming a seal, and thus allowing gas to release;

b. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.201, when the pressure of Columbia Gas's Fayetteville distribution system exceeded the MAOP plus 6 psig on January 9, January 10, January 11, and January 12, 2018;

c. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.619 when the pressure of the plastic pipelines in the Fayetteville system exceeded the MAOP of 45 psig on January 9, January 10, January 11, and January 12, 2018;

d. A civil penalty of \$30,000 for the alleged violation of 49 CFR § 192.743 when the MAOP in the Fayetteville system, established by Columbia Gas, of 45 psig was exceeded due to gas by-passing the pressure limiting and regulating devices at the Ausherman Regulation Station R-3523 on January 9, January 10, January 11, and January 12, 2018;

e. A civil penalty of \$25,000 for the alleged violation of 49 CFR § 192.605 due to Columbia Gas' having trained its technicians to close a bypass valve by listening to any gas leaks, thereby leading to the valves' incomplete closure and allowing gas to pass through the valve causing the Fayetteville system to overpressure;

f. A civil penalty of \$20,000 for the alleged violation of the Commission regulations at 52 Pa. Code § 59.33 promulgated under 66 Pa.C.S. § 1501. The Parties note that while the above action resulted in an increased danger to the public, no loss of life, personal injury, nor property damage occurred in connection with any of the matters set forth above.

g. Columbia Gas will not seek recovery of any portion of the total civil penalty amount of \$535,000 in any future ratemaking proceeding, and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f). Said payment shall be made by certified check payable to "Commonwealth of Pennsylvania" and forwarded to

the Commission through the prosecuting attorney within sixty (60) days of the entry date of the Final Order approving this Settlement;

B. Voluntary Modification of Business Practices

2. In 2019, Columbia Gas implemented the Safety Management System ("SMS"), which is a comprehensive approach to managing safety, emphasizing continual assessment and improvement and mitigating potential risks before they happen. Columbia Gas will include the issues of bypass valves in its SMS process (including determining whether they are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves). Columbia will update I&E on its findings and proposed process changes that result from SMS;

3. As part of its Gas Distribution Integrity Management Program ("DIMP"), Columbia Gas will include the issues of bypass valves (including the determination of whether bypass valves are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves) in its identification and ranking of risk, segment by segment, across its system:

a. As part of the process to integrate the valves into the DIMP plan, Columbia Gas will inventory all bypass valves in its system in Pennsylvania. The inventory will first focus on regulator stations on low pressure stations (to be completed by December 31, 2021) and stations with greater than 125 psig inlet pressure (to be completed by March 31, 2022). Columbia Gas will complete inventory of the remaining systems within two (2) years from the effective date of the settlement order;

b. In this inventory, Columbia Gas shall identify, at a minimum, manufacture, installation year, size, and whether the valve has a way to identify the position of the valve (whether it is on or off);

c. This inventory shall also include inlet and outlet pressures of the station;

d. From this list, Columbia Gas shall develop a process to rank the risk specifically on the bypass valves across the distribution system, and;

e. Columbia Gas shall develop a replacement schedule or preventative and mitigative measures to prevent bypass valves from bleeding through or failing.

4. Columbia Gas shall abide by its newly implemented procedures regarding the use of bypass valves so that technicians properly determine whether bypass valves are opened or closed and in proper working order;¹²

5. In addition to the above-mentioned procedures regarding bypass valves, Columbia shall also abide by the following Operational Notice issued by NiSource Inc.:

a. Operational Notice 19-05: there is a minimum 30-minute requirement to monitor downstream pressure at the end of all work performed in a regulator station when that work has involved bypassing the

¹² Such procedures, which include specific steps relating to verification of closed valves, have been added to Columbia Gas' bypass valve operation procedures. Those steps include:

- Screwing the control regulator all the way down (wide open);
- Determining the monitor regulator set-point as indicated in the regulator inspection record;
- Adjusting the bypass valve to achieve an outlet pressure setting lower than the desired monitor regulator and set-point;
- Slowly increasing the monitor regulator set-point and have the bypass valve operator start to close the bypass valve as the monitor regulator picks up the load on the system;
- Verifying that the bypass valve is fully closed; and
- Adjusting the control regulator to its desired set-point.

¹¹ The following civil penalty terms are consistent with the Federal pipeline safety regulations under 49 U.S.C. § 60101 et seq., and implemented in 66 Pa. Code § 3301, which at the time of the overpressure incidents requires a \$209,002 maximum civil penalty for each violation for each day the violation continues, with a maximum penalty not to exceed \$2,090,022 for a related series of violations. 49 U.S.C. § 60101 et seq.

station to ensure the downstream pressure has stabilized. This work shall always be performed with two qualified metering and regulation (“M&R”) personnel.

b. If a bypass valve is operated, Columbia shall observe and record the downstream pressure on the following day and observe and record the downstream pressure. This process should occur on all stations with bypass valves until non-primary reliefs or remote pressure monitoring can be installed at these stations, at which time Columbia should reevaluate the need to continue this process.

6. Columbia Gas will improve its active monitoring, remote access and non-primary reliefs on its regulator stations that include bypass valves.

a. With regard to low pressure systems, Columbia Gas will continue the program initiated in 2019, under which the Company began installing monitor regulators that are designed to slam shut when the pressure is either too low or too high for the systems to function correctly.

b. In addition to these slam shut regulators, on its low pressure systems Columbia Gas will continue to install remote monitoring devices that communicate directly with gas control that have set parameters that allow Columbia Gas to respond should pressure exceed either the high or low set points.

c. Regarding its entire distribution network, Columbia Gas will initiate a program to install remote electronic pressure monitoring devices which will warn Columbia Gas when pressures increase. Under that program, Columbia Gas will also:

(1) Install a non-primary relief for each system that utilizes a bypass valve to prevent future overpressures and prevent similar instances while giving Columbia Gas more information and time to respond to events;

(2) Prioritize systems identified as higher risk for installations of non-primary relief valves, and;

(3) Provide I&E with a timeframe for the installation of downstream monitors, slam shut regulators and bypass valves;

7. Columbia Gas will add fields to its inspection forms regarding bypass valves to record pressure measured at the beginning and end of the monitoring period established under Operational Notice 19-05.

8. Beginning April 27, 2021, Columbia Gas has implemented pilot Standard Operating Procedures regarding shut down and start up of District Regulator Stations. Following those standard operating procedures, Columbia will ensure that the following items will be observed as part of each inspection:

a. Does the regulator station include a bypass valve? Y/N

b. Is the bypass valve marked to indicate when it is fully closed, Y/N, or does it have a stop? Y/N

c. How is the valve marked to indicate that it is fully closed?

IV. *Conditions of Settlement*

a. The benefits and obligations of the Settlement Agreement filed alongside this Statement in Support shall be binding upon the successors and assigns of the parties to the Settlement.

b. The Settlement Agreement may be signed in counterparts and all signatures attached hereto will be considered as originals.

c. In order to effectuate the parties’ Settlement Agreement, the undersigned parties request that the Commission issue a Final Order approving the Petition without modification.

d. The Parties agree that any party may petition the Commission for a hearing or take other recourse allowed under the Commission’s rules if the Commission Order substantively modifies the terms of the Settlement Agreement. In that event, any party may give notice to the other that it is withdrawing from the Settlement. Such notice must be in writing and must be given within twenty (20) business days of the issuance of the Final Order which adopts the Settlement Agreement with substantive modifications of its terms. The consequence of any party withdrawing from the Settlement Agreement as set forth above is that all issues associated with the requested relief presented in the proceeding will be fully litigated by the filing of a Formal Complaint unless otherwise stipulated between the parties and all obligations of the parties to each other set forth herein are terminated and of no force and effect. In the event that a party withdraws from Settlement Agreement as set forth in this paragraph, I&E and Columbia Gas jointly agree that nothing in the Settlement Agreement shall be construed as an admission against or as prejudice to any position which any party might adopt during litigation of this case.

e. I&E and Columbia Gas jointly acknowledge that approval of the Settlement Agreement is in the public interest and is fully consistent with the Commission’s Policy Statement for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations, 52 Pa. Code § 69.1201. The Commission will serve the public interest by adopting this Joint Petition for Approval of Settlement.

f. The Settlement Agreement avoids the time and expense of litigation in this matter before the Commission, which likely would entail the filing of a Formal Complaint, the preparation for and attendance at hearings, and the preparation and filing of testimony, briefs, reply briefs, exceptions, and reply exceptions. The Parties further recognize that their positions and claims are disputed and, given the inherent unpredictability of the outcome of a contested proceeding, the Parties recognize the benefits of amicably resolving the disputed issues through settlement.

g. Since the Parties agree to the terms of the Settlement Agreement, adopting it will eliminate the possibility of any appeal from the Commission Secretarial Letter or Order, thus avoiding the additional time and expense that they might incur in such an appeal.

h. The Settlement consists of the entire agreement between I&E and Columbia Gas regarding the matters addressed herein. Moreover, this Settlement represents a complete settlement of I&E’s informal investigation against Columbia Gas’ alleged violations of the Public Utility Code and the Commission’s regulations as discussed in more detail in Section II. The Parties expressly acknowledge that the Settlement Agreement represents a

compromise of positions and does not in any way constitute a finding or an admission concerning the alleged violations of the Public Utility Code and the Commission's regulations. The Settlement shall be construed and interpreted under Pennsylvania Law.

i. The Settlement contains a summary of alleged violations of the Public Utility Code and the Commission's regulations. See, Section III, Alleged Violations. In addition, the Settlement Terms contains Proposed Settlement Terms. See, Section IV, Settlement Terms. None of the provisions in this Settlement, including Sections III and IV of the proposed Settlement, shall be considered or shall constitute an admission, a finding of any fact, or a finding of culpability on the part of Columbia in this or any other proceeding. The Settlement is presented without prejudice to any position that either party may have advanced, and without prejudice to the position any party may advance, in the future on the merits of the issues in future proceedings, except to the extent necessary to effectuate the terms and conditions of this Settlement.

j. The terms and conditions of the Settlement Agreement constitute a carefully crafted package representing reasonably negotiated compromises on the issues addressed herein. Thus, the Settlement Agreement is consistent with the Commission's rules and practices encouraging negotiated settlements set forth in 52 Pa. Code §§ 5.231 and 69.1201.

V. *Legal Standard for Settlement Agreements*

Commission policy promotes settlements. See 52 Pa. Code § 5.231. Settlements lessen the time and expense that the parties must expend litigating a case and, at the same time, conserve precious administrative resources. Settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. "The focus of inquiry for determining whether a proposed settlement should be recommended for approval is not a 'burden of proof' standard, as is utilized for contested matters." *Pa. Pub. Util. Comm'n, et al. v. City of Lancaster—Bureau of Water*, Docket Nos. R-2010-2179103, et al. (Order entered July 14, 2011). Instead, the benchmark for determining the acceptability of a settlement is whether the proposed terms and conditions are in the public interest. *Pa. Pub. Util. Comm'n v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

I&E submits that approval of the Settlement Agreement in the above-captioned matter is consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations ("Policy Statement"), 52 Pa. Code § 69.1201; see also *Joseph A. Rosi v. Bell-Atlantic-Pennsylvania, Inc.*, Docket No. C-00992409 (Order entered March 16, 2000). The Commission's Policy Statement sets forth ten (10) factors that the Commission may consider in evaluating whether a civil penalty for violating a Commission order, regulation, or statute is appropriate, as well as whether a proposed settlement for a violation is reasonable and in the public interest. 52 Pa. Code § 69.1201.

The Commission will not apply the factors as strictly in settled cases as in litigated cases. 52 Pa. Code § 69.1201(b). While many of the same factors may still be

considered, in settled cases, the parties "will be afforded flexibility in reaching amicable resolutions to complaints and other matters as long as the settlement is in the public interest." *Id.*

The first factor considers whether the conduct at issue was of a serious nature, such as fraud or misrepresentation, or if the conduct was less egregious, such as an administrative or technical error. Conduct of a more serious nature may warrant a higher civil penalty while conduct that is less egregious warrants a lower amount. 52 Pa. Code § 69.1201(c)(1). I&E alleges that the conduct in this matter involves overpressurization events at two locations, one of which occurred over a course of twenty-six (26) days from May, 16, 2018 to June, 12, 2018, at Columbia's Rimersburg System and the other occurred over a course of four (4) days at Columbia's distribution system in Fayetteville, Pennsylvania. Both of these incidents occurred due to inadequate use and maintenance of bypass valves, and the subsequent leak of gas from such bypass valves causing the systems to overpressurize. I&E notes that no individual was harmed during the aforementioned overpressurization events.

Nevertheless, I&E has found that as a consequence of the overpressurization incidents at Columbia Gas' Rimersburg and Fayetteville systems, including the duration of the incidents and the serious nature of the actions that led to the incidents, members of the public were put at grave risk of injury. Because safe and adequate service to the public is a major concern when gas safety incidents occur, I&E considers the consequences of the incidents mentioned in Section I of this Statement in Support to be of a serious nature, which warrants a higher civil penalty.

The second factor considers whether the resulting consequences of Columbia's alleged conduct were of a serious nature. When consequences of a serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty. 52 Pa. Code § 69.1201(c)(2). I&E submits that no personal injury or property damage occurred as a result of the alleged violations. Nonetheless, the overpressurization incidents at Columbia Gas' Rimersburg and Fayetteville systems, including the duration of the incidents and the serious nature of the actions that led to the incidents, members of the public were put at grave risk of injury.

The third factor to be considered under the Policy Statement is whether the alleged conduct was intentional or negligent. 52 Pa. Code § 69.1201(c)(3). "This factor may only be considered in evaluating litigated cases." *Id.* Whether Columbia's alleged conduct was intentional or negligent does not apply since this matter is being resolved by settlement of the Parties.

The fourth factor to be considered is whether Columbia has made efforts to change its practices and procedures to prevent similar conduct in the future. 52 Pa. Code § 69.1201(c)(4). Columbia Gas has cooperated with I&E's investigation in order to address and correct the violations stemming from the incidents at the Rimersburg system and Fayetteville system. Columbia Gas has cooperated with safety recommendations from I&E Pipeline Safety inspectors, including, inter alia, maintaining weekly or monthly leak surveys, repairing all leaks that are detected in the system, and continuing daily odorant level verifications. In regard to the Rimersburg system, Columbia Gas has replaced 1,838 feet of bare steel, coated steel, and plastic with 2,400 feet of polyethylene plastic ranging in size from 2 to 8 inches. Columbia Gas has also removed the Regulator Station R-4046 on Cherry Run

Road. Columbia Gas has replaced the over-pressurized pipe sections in the Rimersburg system with a medium pressure system, to ensure safe operation.

The fifth factor to be considered relates to the number of customers affected by the Company's actions and the duration of the violations. 52 Pa. Code § 69.1201(c)(5). I&E discovered that Columbia's Rimersburg system serves 420 active customers and Columbia's Fayetteville system serves 966 active customers. While no customers were harmed by the overpressurization incidents, such customers were affected by the adequacy and safety of gas service from Columbia's systems and the dangers the overpressurizations posed over the course of days and weeks.

The sixth factor to be considered relates to the compliance history of Columbia. 52 Pa. Code § 69.1201(c)(6). An isolated incident from an otherwise complaint company may result in a lower penalty, whereas frequent, recurrent violations by a company may result in a higher penalty. *Id.* Columbia became a jurisdictional gas distribution supplier licensed by the Commission at Docket No. A-2015-2491750. When reviewing the compliance history of Columbia Gas, previous overpressure incidents allegedly occurred in 2014. See *Pennsylvania Pub. Util. Comm'n, Bureau of Investigation & Enft v. Columbia Gas of Pennsylvania*, No. M-2014-2306076, 2014 WL 2644843 (June 5, 2014).

The seventh factor to be considered relates to whether the Company cooperated with the Commission's investigation. 52 Pa. Code § 69.1201(c)(7). Columbia Gas has cooperated with I&E's investigation in order to address and correct the violations stemming from the incidents at the Rimersburg system and Fayetteville system. Concerning the Rimersburg system, Columbia Gas has replaced 1,838 feet of bare steel, coated steel, and plastic with 2,400 feet of polyethylene plastic ranging in size from 2 to 8 inches. Columbia Gas has also removed the Regulator Station R-4046 on Cherry Run Road. I&E understands that Columbia Gas has replaced the over-pressurized pipe sections in the Rimersburg system with a medium pressure system, to ensure safe operation. Columbia Gas has further cooperated with safety recommendations from I&E Pipeline Safety inspectors, including, *inter alia*, maintaining weekly or monthly leak surveys, repairing all leaks that are detected in the system, and continuing daily odorant level verifications.

The eighth factor to be considered is the appropriate settlement amount necessary to deter future violations. 52 Pa. Code § 69.1201(c)(8). I&E submits that a civil penalty amount of \$535,000.00, which is not tax deductible, and business practice changes/modifications is substantial and sufficient to deter future overpressurization incidents at Columbia Gas' Rimersburg and Fayetteville systems, including the duration of the incidents and the serious nature of the actions that led to the incidents.

The ninth factor to be considered relates to past Commission decisions in similar situations. 52 Pa. Code § 69.1201(c)(9). Maximum civil penalties were settled upon or imposed by the Commission when overpressure incidents lead to a death. See *Pa. Pub. Util. Comm'n, Bureau of Investigation and Enforcement v. UGI Utilities, Inc.*, Docket No. C-2012-2308997, (Initial Decision issued October 31, 2012) (finding that a higher penalty is warranted from an incident involving a gas explosion where life was lost and fire resulted in property damage). In this matter no individual died, nobody got hurt, and no customer property was damaged, so a maximum civil

penalty is unnecessary.¹³ The Commission has also imposed lesser penalties to resolve various federal and state gas safety violations. See, e.g., *Pennsylvania Pub. Util. Comm'n L. Bureau Prosecutory Staff v. UGI Utilities, Inc.*, No. C-2009-2120601, 2010 WL 4809927 (Nov. 19, 2010) (Order entered November 19, 2010). The Commission further has imposed lesser civil penalty amounts for violating § 1501. *Wilmer Baker v. Sunoco Pipeline, L.P.*, No. C-2018-3004294, 2020 WL 5877007 (Sept. 23, 2020) (imposing a \$1,000 civil penalty when an overpressure incident only affected 1 person, the gas company was directed to enhance and improve the pipeline's safety, and nobody was hurt.)

The tenth factor considers "other relevant factors." 52 Pa. Code § 69.1201(c)(10). In support of the \$535,000.00 civil penalty, I&E notes that Columbia Gas has been credited for retiring 45k+ feet of pipe upon request from PUC inspectors to resolve the overpressure incidents and mitigate further overpressure incidents. Also, a maximum civil penalty is unnecessary because Columbia Gas promptly complied and cooperated with I&E to resolve the issues that included a large replacement of their Fayetteville pipeline, and Columbia Gas does not have an extensive history of being noncompliant with PUC regulations Pennsylvania. *Pub. Util. Comm'n v. Philadelphia Gas Works*, No. C-2011-2278312, 2013 WL 3928985 (July 16, 2013) (PGW) (imposing the maximum civil penalty when an explosion caused 6 injuries and 1 death, and while PGW voluntarily cooperated with I&E to resolve the issues, the maximum civil penalty allowed at the time was imposed due to the deaths and to deter future violations.) Following the above, the civil penalty is appropriate given that Columbia Gas' bypass valve leaks did not result in a fire, explosion or cause personal injury. Also, there has not been any reported property damage due to the leaks. As consequences of a serious nature did not ensue, alongside Columbia Gas cooperating with I&E's investigation and Columbia Gas bearing the expense, *inter alia*, to replace more than 45,000 feet of its Fayetteville system pipeline, this factor weighs in favor of an agreed upon civil penalty of \$535,000. *Cf.*, *Pennsylvania Pub. Util. Comm'n, Bureau of Investigation & Enft v. Sunoco Pipeline, L.P.*, No. C-2018-3006534, 2019 WL 7403545 (Dec. 18, 2019) (imposing civil penalty of \$200,000 when Sunoco experienced a leak due to corrosion, which only potentially affected very few customers.) All of these factors, in addition to the allegations brought forth that initiated I&E's informal investigation, fully support the civil penalty amount and the modification of operational practices to be taken by Columbia and are in the public interest.

Additionally, I&E takes note of the current uncertainty and challenges facing the Parties during this COVID-19 pandemic. Due to COVID-19, a hearing in this matter would potentially have to be held virtually or telephonically, which would be a challenge to both Parties in light of the volume and type (paper, electronic recording, testimonial, etc.) of evidence which may be offered. Thus, whether the case was settled or litigated is of pivotal importance to this factor and allows the Parties to move forward and focus on implementing the agreed upon remedial actions without the challenges or time associated with litigation.

¹³ Under 49 USC. 60101, the allowable civil penalty for this matter is \$209,002 for each violation for each day the violation continues, with a maximum penalty not to exceed \$2,090,022 for a related series of violations. This means that the maximum civil penalty could potentially be applied to the Rimersburg and Fayetteville incidents separately, a total of \$4,180,044.

In conclusion, I&E fully supports the terms and conditions of the Settlement Agreement. The terms of the Settlement Agreement reflect a carefully balanced compromise of the interests of the Parties in this proceeding. The Parties believe that approval of this Settlement Agreement is in the public interest. Acceptance of this Settlement Agreement avoids the necessity of further administrative and potential appellate proceedings at what would have been a substantial cost to the Parties.

Wherefore, I&E supports the Settlement Agreement as being in the public interest and respectfully requests that the Commission approve the Settlement in its entirety without modification.

Respectfully submitted,
Matthew C. Fallings
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Dated: June 8, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :
Bureau of Investigation and Enforcement, :
:
v. : Docket No.: M-2021-3005572
:
Columbia Gas of PA, Inc. :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

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Dated: June 8, 2021

[Pa.B. Doc. No. 22-298. Filed for public inspection February 18, 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 March 7, 2022. Filings are recommended to be made electronically through eFiling to the Secretary of the

Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by March 7, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-2022-3030457. Royal Coachman, Ltd. (400 Morris Avenue, P.O. Box 8, Danville, NJ 07834) for the right to begin transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Montgomery County and from points in said county, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all rights authorized under the certificate issued at A-2014-2457151 to AAA Worldwide Transportation, Inc., subject to the same limitations and conditions. *Attorney:* Jeffrey A. Franklin, 646 Lenape Road, Bechtelsville, PA 19505-9135.

A-2022-3030458. Royal Coachman, Ltd. (400 Morris Avenue, P.O. Box 8, Danville, NJ 07834) for the right to begin transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania, and return; excluding points within Allegheny County and areas under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all rights authorized under the certificate issued at A-2010-2179338 to AAA Worldwide Transportation, Inc., subject to the same limitations and conditions. *Attorney:* Jeffrey A. Franklin, 646 Lenape Road, Bechtelsville, PA 19505-9135.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-299. Filed for public inspection February 18, 2022, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**
Telecommunications

A-2022-3030774. Verizon North, LLC and Windstream Communications, LLC. Joint petition of Verizon North, LLC and Windstream Communications, LLC for approval of an interconnection agreement and UNE/resale forbearance amendment under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Windstream Communications, LLC, by their counsel, filed on February 7, 2022, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and UNE/resale forbearance amendment under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Windstream Communications, LLC's joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-300. Filed for public inspection February 18, 2022, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**
Telecommunications Service

A-2019-3013121. GC Pivotal, LLC. Application of GC Pivotal, LLC for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of: The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink; Verizon North, LLC; Verizon Pennsylvania, LLC; and Windstream Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 7, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: GC Pivotal, LLC

Through and By Counsel: Tony Hansel, 7900 Tysons One Place, Suite 1450, McLean, VA 22102

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-301. Filed for public inspection February 18, 2022, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**
Telecommunications Service

A-2021-3030129. Vero Fiber Networks, LLC. Application of Vero Fiber Networks, LLC for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of: Armstrong Telephone Company—North; Armstrong Telephone Company PA; Citizens Telephone Company of Kecksburg; Citizens Communications, d/b/a Citizens Telephone of NY; Consolidated Communications of Pennsylvania Company; Frontier Communications of Breezewood, LLC; Frontier Communications of Canton, LLC; Frontier Communications Commonwealth Telephone Company, LLC; Frontier Communications of Pennsylvania, LLC; Frontier Communications of

Lakewood, LLC; Frontier Communications of Oswayo River, LLC; Hancock Telephone Company; Hickory Telephone Company; Ironton Telephone Company; Lackawaxen Telecommunications Services, Inc.; Laurel Highland Telephone Company; North Penn Telephone Company; North-Eastern PA Telephone Company; Palmerton Telephone Company; Pennsylvania Telephone Company; Pymatuning Independent Telephone Company; South Canaan Telephone Company; TDS Telecom—Deposit Telephone Company, Inc.; TDS Telecom—Mahanoy & Mahantango Telephone Company; TDS Telecom—Sugar Valley Telephone Company; The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink; Venus Telephone Corporation; Verizon North, LLC; Verizon Pennsylvania, LLC; West Side Telephone Company; Windstream Pennsylvania, LLC; Windstream Buffalo Valley, Inc.; Windstream Conestoga, Inc.; Windstream D&E, Inc.; and Yukon Waltz Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 7, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission’s web site at www.puc.pa.gov and at the applicant’s business address.

Applicant: Vero Fiber Networks, LLC

Through and By Counsel: Catherine Vasudevan, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-302. Filed for public inspection February 18, 2022, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Wastewater Service; Telephonic Prehearing Conference

A-2021-3026132. Aqua Pennsylvania Wastewater, Inc. (APW). Application of 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 approval of the rights to: (1) acquire substantially all of East Whiteland Township’s (EWT) wastewater system assets, properties and rights; (2) begin to offer, render, furnish and supply wastewater service to the public in portions of EWT, Chester County; and (3) use for ratemaking purposes the lesser of the fair market value or the negotiated purchase price of EWT’s wastewater assets.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before March 7, 2022. Filings must be made

with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission’s (Commission) web site at www.puc.pa.gov and at the applicant’s business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission’s web site at www.puc.pa.gov or may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission’s Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Aqua Pennsylvania Wastewater, Inc.

Through and By Counsel: Thomas T. Niesen, Esquire, Thomas, Niesen, and 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, March 8, 2022 |
| <i>Time:</i> | 10 a.m. |
| <i>Presiding:</i> | Administrative Law Judge Marta Guhl (215) 560-2105 Fax: (215) 560-3133 |

At the previously listed date and time, individuals 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 Conference Number: (866) 675-3641

PIN Number: 37082098

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 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

The Commission offers a free eFiling subscription service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission web site regarding a specific case. Instructions for subscribing to this service are on the Commission’s web site at http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-303. Filed for public inspection February 18, 2022, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

| | | |
|--------------|--|---------|
| May 11, 2022 | Account of Gary D. Koch, PhD (Independent Contractor) | 10 a.m. |
|--------------|--|---------|

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to attend the proceeding should contact the Appeal Docket Clerk at (717) 720-4888 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with

1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

TERRI J. SANCHEZ,
Interim Executive Director

[Pa.B. Doc. No. 22-304. Filed for public inspection February 18, 2022, 9:00 a.m.]

STATE HORSE RACING COMMISSION

Receipt of Matters Subject to Intervention

In accordance with 7 Pa. Code § 179.17(d), the State Horse Racing Commission (Commission) provides notice that it has received the following timely, substantially complete and properly filed application seeking licensure as a secondary pari mutual organization and authorization to engage in certain licensed racing activities within the Commonwealth:

1. AmWest Entertainment, LLC—SPMO—License Application (Docket No. 2022-06)

The Commission intends to consider the previously listed application at a future public meeting. Under 7 Pa. Code § 179.17(b) and (e) of the Commission's adopted procedures, persons interested in intervening in the previously listed matters may file a Petition to Intervene with the Commission within 30 days of the publication of this notice.

ANTHONY SALERNO,
Director
Bureau of Standardbred Horse Racing
THOMAS F. CHUCKAS, Jr.,
Director
Bureau of Thoroughbred Horse Racing

[Pa.B. Doc. No. 22-305. Filed for public inspection February 18, 2022, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Commission Meeting

The Susquehanna River Basin Commission (Commission) will conduct its regular business meeting on March 17, 2022, at 9 a.m. in person and digitally at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice. The Commission published a document in the *Federal Register* at 87 FR 1472 (January 11, 2022), concerning its public hearing on February 3, 2022, in Harrisburg, PA.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, fax (717) 238-2436.

Supplementary Information

The business meeting will include actions or presentations on the following items: ratification of contracts/grants and actions on 17 Regulatory Program projects.

This agenda is complete at the time of issuance, but other items may be added, and some stricken without further notice. The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, notice of these actions will be published in the *Federal Register* after the meeting. Actions specific to projects will also be provided in writing directly to project sponsors.

The meeting will be conducted both in person at the Commission's headquarters and digitally. The public is invited to attend the Commission's business meeting. Individuals can access the business meeting through a computer (audio and video) at <https://srbc.webex.com/srbc/j.php?MTID=m4dc4fb39bd80768df639dae20600a08d> then enter meeting number 177 791 3605 and password CommBusMtg0317. Individuals may participate telephonically by dialing (877) 668-4493 and entering the meeting number 177 791 3605 followed by the # sign.

Written comments pertaining to items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through www.srbc.net/about/meetings-events/business-meeting.html. The comments are due to the Commission on or before March 15, 2022. Comments will not be accepted at the business meeting noticed herein.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: February 7, 2022

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 22-306. Filed for public inspection February 18, 2022, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

The Susquehanna River Basin Commission lists the following Grandfathering (GF) Registration for projects under 18 CFR 806, Subpart E (relating to registration of grandfathered projects) from January 1, 2022, through January 31, 2022.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists GF Registration for projects, described as follows, under 18 CFR 806, Subpart E for the time period previously specified:

GF Registration Under 18 CFR Part 806, Subpart E:

1. Village of Alfred—Public Water Supply System, GF Certificate No. GF-202201202, Village of Alfred, Allegany County, NY; Wells 1 and 2; Issue Date: January 28, 2022.

2. Barletta Materials & Construction, Inc.—Honey Hole Quarry, GF Certificate No. GF-202201203,

Nescopeck Township, Luzerne County, PA; Susquehanna River and consumptive use; Issue Date: January 28, 2022.

3. The Municipal Authority of the Borough of Catawissa—Public Water Supply System, GF Certificate No. GF-202201204, Catawissa Township and Catawissa Borough, Columbia County, PA; Well 6; Issue Date: January 28, 2022.

4. Mifflintown Municipal Authority—Public Water Supply System, GF Certificate No. GF-202201205, Fermanagh Township, Juniata County, PA; Macedonia Wells 1 and 2; Issue Date: January 28, 2022.

5. Pennsy Supply, Inc.—Small Mountain Quarry, GF Certificate No. GF-202201206, Dorrance Township, Luzerne County, PA; Wells 1—3; Issue Date: January 28, 2022.

Dated: February 7, 2022

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 22-307. Filed for public inspection February 18, 2022, 9:00 a.m.]

