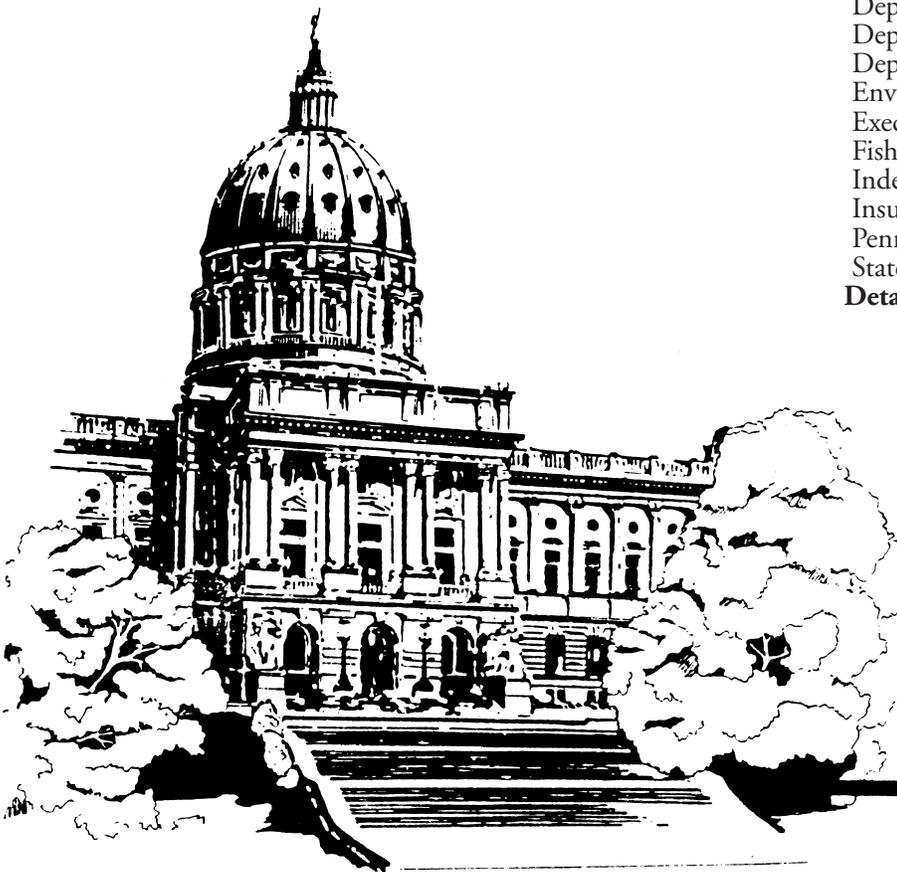


PENNSYLVANIA BULLETIN

Volume 52
Saturday, February 26, 2022 • Harrisburg, PA
Number 9
Pages 1233—1354

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The Courts
Department of Agriculture
Department of Banking and Securities
Department of Community and Economic
Development
Department of Education
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Revenue
Environmental Quality Board
Executive Board
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Public Utility Commission
State Conservation Commission
Detailed list of contents appears inside.



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

No. 567, February 2022

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BULLETIN

(ISSN 0162-2137)

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

Postmaster send address changes to:

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

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Fry Communications, Inc.
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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.

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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 COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

List of Financial Institutions

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

SUZANNE E. PRICE,
Attorney Registrar

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

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

Bank Code B.

558	Bancorp Bank (The)
485	Bank of America, NA
662	Bank of Bird in Hand
415	Bank of Landisburg (The)
664	BankUnited, NA
501	BELCO Community Credit Union
652	Berkshire Bank
663	BHCU
5	BNY Mellon, NA
392	Brentwood Bank
495	Brown Brothers Harriman Trust Co., NA
161	Bryn Mawr Trust Company (The)

Bank Code C.

654	CACL Federal Credit Union
618	Capital Bank, NA
136	Centric Bank
394	CFS BANK
623	Chemung Canal Trust Company
599	Citibank, NA
238	Citizens & Northern Bank
561	Citizens Bank, NA
206	Citizens Savings Bank
576	Clarion County Community Bank
660	Clarion FCU
591	Clearview Federal Credit Union
23	CNB Bank
223	Commercial Bank & Trust of PA
21	Community Bank (PA)
371	Community Bank, NA (NY)
132	Community State Bank of Orbisonia
647	CONGRESSIONAL BANK
380	County Savings Bank
536	Customers Bank

Bank Code D.

339	Dime Bank (The)
27	Dollar Bank, FSB

Bank Code E.

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

Bank Code F.

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

Bank Code G.

499	Gratz Bank (The)
498	Greenville Savings Bank

Bank Code H.

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

Bank Code I.

669	Industrial Bank
365	InFirst Bank
557	Investment Savings Bank

526 Iron Workers Savings Bank
 668 Inspire FCU
 670 Investors Bank

Bank Code J.

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

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

78 Luzerne Bank

Bank Code M.

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

Bank Code N.

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

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 **PARKE BANK**
 584 Parkview Community Federal Credit Union
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 665 Pinnacle Bank
 79 PNC Bank, NA
 449 Port Richmond Savings

667 Premier Bank
 451 Progressive-Home Federal Savings & Loan Association
 354 Presence Bank
 637 Provident Bank
 456 Prudential Savings Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

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

Bank Code S.

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

Bank Code T.

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

Bank Code U.

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

Bank Code V.

611 Victory Bank (The)

Bank Code W.

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

Bank Code X.**Bank Code Y.****Bank Code Z.**

PLATINUM LEADER BANKS

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

IOLTA EXEMPTION

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

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

New

Name Change

- 343 Fidelity Savings & Loan Association of Bucks County—Change to 476 William Penn Bank
- 440 SunTrust Bank—Change to 672 Truist Bank
- 628 Riverview Bank—Change to 294 Mid Penn Bank
- 16 CBT Bank, a division of Riverview Bank—Change to 294 Mid Penn Bank
- 402 Halifax Branch, of Riverview Bank—Change to 294 Mid Penn Bank
- 43 Marysville Branch of Riverview Bank—Change to 294 Mid Penn Bank
- 420 Meyersdale Branch of Riverview Bank—Change to 294 Mid Penn Bank

Platinum Leader Change

Correction

Removal

- 343 Fidelity Savings & Loan Association of Bucks County
- 440 SunTrust Bank
- 628 Riverview Bank
- 16 CBT Bank, a division of Riverview Bank
- 402 Halifax Branch of Riverview Bank
- 43 Marysville Branch of Riverview Bank
- 420 Meyersdale Branch of Riverview Bank

[Pa.B. Doc. No. 22-308. Filed for public inspection February 25, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Hearings

A Petition for Reinstatement to the active practice of law has been filed by Vincent James and will be the subject of a hearing on June 2, 2022 before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District I Office of the Disciplinary Board of the Supreme Court of Pennsylvania, 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania 19103, phone number (215) 560-6296, on or before May 19, 2022.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-309. Filed for public inspection February 25, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Hearings

A Petition for Reinstatement to the active practice of law has been filed by Victor Mba-Jonas and will be the subject of a hearing on May 3 and 4, 2022 before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District I Office of the Disciplinary Board of the Supreme Court of Pennsylvania, 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania 19103, phone number (215) 560-6296, on or before April 19, 2022.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-310. Filed for public inspection February 25, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Elliott James Schuchardt having been suspended from the practice of law in the Supreme Court of the State of Tennessee; the Supreme Court of Pennsylvania issued an Order dated February 11, 2022 suspending Elliott James Schuchardt from the practice of law in this Commonwealth for a period of two years, effective March 13, 2022. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-311. Filed for public inspection February 25, 2022, 9:00 a.m.]

SUPREME COURT

Financial Institutions Approved as Depositories for Fiduciary Accounts; No. 217 Disciplinary Rules Docket

Order

Per Curiam

And Now, this 9th day of February, 2022, it is hereby Ordered that the financial institutions named on the attached list are approved as depositories for fiduciary accounts in accordance with Pa.R.D.E. 221.

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

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

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485	Bank of America, NA
662	Bank of Bird in Hand
415	Bank of Landisburg (The)
664	BankUnited, NA
501	BELCO Community Credit Union
652	Berkshire Bank
663	BHCU
5	BNY Mellon, NA
392	Brentwood Bank
495	Brown Brothers Harriman Trust Co., NA
161	Bryn Mawr Trust Company (The)

Bank Code C.

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618	Capital Bank, NA
136	Centric Bank
394	CFS BANK
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238	Citizens & Northern Bank
561	Citizens Bank, NA
206	Citizens Savings Bank
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567	Embassy Bank for the Lehigh Valley
541	Enterprise Bank
28	Ephrata National Bank
601	Esquire Bank, NA
340	ESSA Bank & Trust

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

Bank Code G.

499	Gratz Bank (The)
498	Greenville Savings Bank

Bank Code H.

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

Bank Code I.

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

Bank Code J.

70	Jersey Shore State Bank
127	Jim Thorpe Neighborhood Bank

488 Jonestown Bank & Trust Company
 659 JPMorgan Chase Bank, NA
 72 **JUNIATA VALLEY BANK (THE)**

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

78 Luzerne Bank

Bank Code M.

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

Bank Code N.

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

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

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

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

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

Bank Code S.

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

Bank Code T.

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

Bank Code U.

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

Bank Code V.

611 Victory Bank (The)

Bank Code W.

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

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

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

IOLTA EXEMPTION

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

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

*New**Name Change*

- 343 Fidelity Savings & Loan Association of Bucks County—Change to 476 William Penn Bank
 440 SunTrust Bank—Change to 672 Truist Bank
 628 Riverview Bank—Change to 294 Mid Penn Bank
 16 CBT Bank, a division of Riverview Bank—Change to 294 Mid Penn Bank

- 402 Halifax Branch, of Riverview Bank—Change to 294 Mid Penn Bank
 43 Marysville Branch of Riverview Bank—Change to 294 Mid Penn Bank
 420 Meyersdale Branch of Riverview Bank—Change to 294 Mid Penn Bank

*Platinum Leader Change**Correction**Removal*

- 343 Fidelity Savings & Loan Association of Bucks County
 440 SunTrust Bank
 628 Riverview Bank
 16 CBT Bank, a division of Riverview Bank
 402 Halifax Branch of Riverview Bank
 43 Marysville Branch of Riverview Bank
 420 Meyersdale Branch of Riverview Bank

[Pa.B. Doc. No. 22-312. Filed for public inspection February 25, 2022, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 109]

Safe Drinking Water PFAS MCL Rule

The Environmental Quality Board (Board) proposes to amend Chapter 109 (relating to safe drinking water) to read as set forth in Annex A. The proposed amendments will improve public health protection by setting maximum contaminant level goals (MCLG) and maximum contaminant levels (MCL) for two per- and polyfluoroalkyl substances (PFAS)—perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS).

PFAS are considered emerging contaminants because research is ongoing to better understand the potential impacts PFAS pose to human and animal health and the environment. PFAS are potentially linked to a number of adverse health effects, including high cholesterol, developmental effects including low birth weight, liver toxicity, decreased immune response, thyroid disease, kidney disease, ulcerative colitis and certain cancers, including testicular cancer and kidney cancer.

The proposed amendments are intended to protect public health by setting State MCLs for contaminants in drinking water that are currently unregulated at the Federal level. With the proposed amendments, the Commonwealth would move ahead of the United States (U.S.) Environmental Protection Agency (EPA) in addressing PFOA and PFOS in drinking water and join a small group of states that have set MCLs for select PFAS in drinking water. Currently, six states have set MCLs for one or more PFAS—Massachusetts, Michigan, New Hampshire, New Jersey, New York and Vermont.

Safe drinking water is vital to maintaining healthy and sustainable communities. Proactively addressing PFOA and PFOS contamination in drinking water can reduce the incidence of illness and reduce health care costs. Recent research suggests that the EPA's Combined Lifetime Health Advisory Level (HAL) for PFOA and PFOS is not sufficiently protective against adverse health effects. The EPA has started the process of setting more stringent standards for PFOA and PFOS in drinking water, but that process is expected to take years to complete. For that reason, it is important that the Board act now to propose more protective standards for this Commonwealth, to protect the health of residents in this Commonwealth. Proper investment in public water system infrastructure and operations helps ensure a continuous supply of safe drinking water, enables communities to plan and build future capacity for economic growth, and ensures their long-term sustainability for years to come.

The proposed PFOA and PFOS MCLs will apply to all 3,117 community, nontransient noncommunity, bottled, vended, retail and bulk water systems in this Commonwealth. Of these, 1,905 are community water systems, serving a combined population of approximately 11.4 million residents in this Commonwealth. Another 1,096 are nontransient noncommunity water systems serving approximately 507,000 persons.

The proposed amendments also include minor revisions to address incorrect cross-references and citations, delete duplicated text and update language to be consistent with revisions made in the 2018 General Update of the

Chapter 109 regulations. These minor updates are a codification of existing practices and will have no change from current practice.

This proposed rulemaking was adopted by the Board at its meeting of November 16, 2021.

A. *Effective Date*

This proposed rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*. Initial compliance monitoring for community and nontransient noncommunity water systems serving a population of greater than 350 persons and all bottled, vended, retail and bulk systems begins January 1, 2024; initial monitoring for community and nontransient noncommunity water systems serving a population of less than or equal to 350 persons begins January 1, 2025.

B. *Contact Persons*

For further information, contact Lisa D. Daniels, Director, Bureau of Safe Drinking Water, P.O. Box 8467, Rachel Carson State Office Building, Harrisburg, PA 17105-8467, (717) 787-9633; or Leda J. Lacomba, Assistant Counsel, Bureau of Regulatory Counsel, P.O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposed rulemaking appears in section I of this preamble. Persons with a disability may use the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available electronically through the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board," and then navigate to the Board meeting of November 16, 2021).

C. *Statutory Authority*

This proposed rulemaking is being made under the authority of section 4 of the Pennsylvania Safe Drinking Water Act (act) (35 P.S. § 721.4), which grants the Board the authority to adopt rules and regulations governing the provision of drinking water to the public, and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which authorizes the Board to promulgate rules and regulations necessary for the performance of the work of the Department.

D. *Background and Purpose*

PFAS are a large class of man-made synthetic chemicals that were created in the 1930s and 1940s for use in many industrial and manufacturing applications. It is estimated that the PFAS family includes more than 6,000 chemical compounds. PFAS have been widely used for their unique properties that make products repel water, grease and stains, reduce friction and resist heat. PFAS are found in industrial and consumer products such as clothing, carpeting, upholstery, food packaging, non-stick cookware, fire-fighting foams, personal care products, paints, adhesives, metal plating, wire manufacturing and many other uses. Because of their unique chemical structure, PFAS readily dissolve in water and are mobile, are highly persistent in the environment and bioaccumulate in living organisms over time.

Decades of widespread use of products containing PFAS has resulted in elevated levels of environmental pollution and exposure in some areas of the State. PFAS remain in the environment and cycle through various media (air, water, soil) depending on how and where the substances

were released. The primary means of distribution of PFAS throughout the environment has been through the air, water, biosolids, food, landfill leachate and fire-fighting activities. For a diagram showing the PFAS cycle and its exposure pathways, refer to the Department's PFAS webpage at www.dep.pa.gov/Citizens/My-Water/drinking_water/PFAS/Pages/DEP-Involvement.aspx.

The Department's Safe Drinking Water Program first became aware of PFAS as emerging contaminants in 2013 when the EPA included six PFAS in its Third Unregulated Contaminant Monitoring Rule (UCMR3). The six PFAS included in UCMR3 monitoring are PFOA, PFOS, perfluorononanoic acid (PFNA), perfluorohexanesulfonic acid (PFHxS), perfluoroheptanoic acid (PFHpA), and perfluorobutanesulfonic acid (PFBS). The UCMR rules are Federal direct-implementation rules that are updated every 5 years to require monitoring for up to 30 unregulated contaminants to generate National occurrence data and inform the Federal regulatory determination process. Public water systems (PWS) serving more than 10,000 people and a select number of smaller PWSs were required to monitor for PFAS and other contaminants during 2013—2015 for UCMR3. In this Commonwealth, a total of 175 systems conducted PFAS monitoring for UCMR3; of these systems, PFAS was detected at 6 systems above the 2009 Provisional Health Advisory Levels (HAL) for PFOA and PFOS of 400 nanograms per liter (ng/L) or parts per trillion (ppt) and 200 ng/L, respectively. The Department worked closely with the EPA and the PWSs to address the elevated levels of PFAS found during the UCMR3 monitoring.

In May of 2016, the EPA issued the Final HAL for PFOA and PFOS as a Combined Lifetime HAL of 70 ng/L. At that time, the Department began implementing the EPA's Combined Lifetime HAL of 70 ng/L for PFOA and PFOS using existing authority under the act and Chapter 109 regulations. PWSs that exceed the HAL are required to conduct follow-up and corrective actions to protect public health, including the following actions:

- One-hour reporting of sample results to the Department to ensure timely consultation and oversight regarding investigative and corrective actions (§ 109.701(a)(3)(iii) (relating to reporting and recordkeeping)),
- Collection of confirmation samples (§ 109.302 (relating to special monitoring requirements)),
- Issuance of Tier 2 Public Notice to consumers (§ 109.409 (relating to Tier 2 public notice—categories, timing and delivery of notice)),
- Quarterly monitoring at the entry point to track levels of contamination (§ 109.302), and
- If levels continue to exceed the HAL, taking additional actions as needed to protect public health such as taking contaminated sources off-line or installing treatment (§ 109.4 (relating to general requirements)).

PFAS action team

In the absence of Federal action to address PFAS, Governor Tom Wolf signed Executive Order 2018-08 (EO) on September 19, 2018. The EO created the PFAS Action Team, a multi-agency group tasked with, among other things, developing a comprehensive response to identify and eliminate sources of contamination, ensure drinking water is safe, manage environmental contamination, review gaps in data and oversight authority, and recommend actions to address those gaps. The PFAS Action Team released its Initial Report in December of 2019 to the Department's PFAS webpage at www.dep.pa.gov/pfas.

The report includes information about PFAS, challenges associated with managing contamination, actions taken to date and recommendations for future actions. Recommendations include additional funding for communities dealing with PFAS contamination and strengthened statutory authorities to adequately address PFAS.

In 2019, the Department's Safe Drinking Water Program moved forward with two key projects to advance its knowledge of PFAS—the PFAS Sampling Plan and PFAS Toxicology Services Contract.

PFAS Sampling Plan

The PFAS Sampling Plan was developed and posted to the Department's PFAS webpage at www.dep.pa.gov/Citizens/My-Water/drinking_water/PFAS/Pages/DEP-Involvement.aspx in April of 2019. The plan was intended to prioritize PWS sites for PFAS sampling and generate Statewide occurrence data. Several factors were considered in developing the targeted plan, including:

- Identification of "potential sources of PFAS contamination" (PSOC) based on a literature review,
- Identification of PWS sources located within 1/2 to 3/4 of a mile from PSOCs, and
- Selection of PWS sources to serve as a control or baseline group.

The selection process involved a combination of spatial analysis and programmatic review. The spatial analysis included the creation of a Geographic Information System (GIS) project using ArcMap 10.4.1 that focused on PWS source locations and information about PSOCs. The sampling pool was prioritized based on relative risk and included community water systems and nontransient noncommunity water systems.

To prioritize sampling, the selection process included an assessment of the potential risk from nearby PSOCs. Several layers containing locational and other information specific to PSOCs were created or otherwise included in the GIS. These layers include the following industries and land uses:

- Military bases
- Fire training schools/sites
- Airports
- Landfills
- Manufacturing facilities (apparel, chemicals, electronics, fabricated metal, paper products, textiles and leather, upholstered furniture)
- State Hazardous Sites Cleanup Act sites, the EPA Superfund sites and other known PFAS-contamination sites

The sampling plan includes details about the sources of GIS data and multiple maps that indicate the locations and prevalence of the PSOCs and the locations of the targeted and baseline sampling sites.

Based on the compilation of PSOCs, the information was used to select PWS sources that are located within 1/2 to 3/4 of a mile of a PSOC. The initial sampling pool included 493 PWS sources. The sampling pool contained a mix of PWS types and sizes and provided a good spatial distribution across the State. Based on available funding of \$500,000, the Department proposed sampling at 360 targeted and 40 baseline entry point (EP) sites. Baseline sources are located in a HUC-12 watershed (a watershed assigned a 12-digit hydrologic unit code, or HUC, by the United States Geological Survey) with at least 75%

forested land and at least 5 miles from a PSOC. Ultimately, samples were collected from 412 EPs including 372 targeted sites and 40 baseline sites. Note that an EP to the distribution system may include water from more than one source of supply.

Sampling and analysis began during the Summer of 2019 using EPA Method 537 and a PA-accredited lab to analyze samples for the six UCMR3 PFAS. However, in early 2020, the Department took the opportunity to modify its analysis of samples by switching to EPA Method 537.1, which expanded the collection of occurrence data to 18 PFAS and adding the Department's Bureau of Laboratories for analysis. For consistency

purposes, the Department repeated the sampling and analysis that had been conducted in 2019. Sampling was temporarily suspended from March 2020 to July 2020 due to the novel coronavirus (COVID-19) pandemic and resulting business closures and travel restrictions established under the Governor's Emergency Declaration. Sampling resumed in August 2020 and was completed at the end of March 2021, with the final sample results posted to the Department's PFAS webpage in June 2021. Table 1 includes a summary of the results from the PFAS Sampling Plan for the same six PFAS that were sampled under UCMR3.

Table 1. Summary of PFAS Sampling Plan results. Full results available at www.dep.pa.gov/pfas

Summary of PFAS Sampling Plan Results							
	PFOA	PFOS	PFNA	PFHxS	PFHpA	PFBS	Units
Total No. Samples	412	412	412	412	412	412	—
Average	2.0	2.5	0.4	1.4	0.7	1.1	ng/L
Median	0 (ND)	0 (ND)	0 (ND)	0 (ND)	0 (ND)	0 (ND)	ng/L
Minimum	0 (ND)	0 (ND)	0 (ND)	0 (ND)	0 (ND)	0 (ND)	ng/L
Maximum	59.6	187.1	18.1	140.0	32.6	64.0	ng/L
No. and % of Detects	112 (27%)	103 (25%)	23 (6%)	52 (13%)	49 (12%)	66 (16%)	—
Avg Detect Value	7.5	9.9	7.2	10.9	6.1	7.0	ng/L
Med Detect Value	5.3	6.5	5.6	4.5	4.5	4.2	ng/L
Min Detect Value	1.7	1.8	1.8	1.9	1.8	1.7	ng/L
Max Detect Value	59.6	187.1	18.1	140.0	32.6	64.0	ng/L

For example, of the 412 samples analyzed for PFOA, 112 (27%) resulted in detectable concentrations of PFOA. The remaining 300 samples resulted in no detectable concentrations of PFOA. For the 112 samples in which PFOA was detected, the average detected value was 7.5 ng/L, the median detected value was 5.3 ng/L, the minimum detected value was 1.7 ng/L, and the maximum detected value was 59.6 ng/L.

At the sampling sites with detections, 8 of the 18 PFAS included in EPA Method 537.1 were detected. The eight PFAS that were detected are: PFOA, PFOS, PFNA, PFHxS, PFHpA, PFBS, perfluorohexanoic acid and perfluoroundecanoic acid. Of the PFAS detected, PFOA and PFOS were most common, detected at 112 (or 27%) and 103 (or 25%) sites, respectively. Of the 412 total samples, 2 of the results were above the EPA's HAL of 70 ng/L for the combined concentrations of PFOA and PFOS. Results were nondetect at all 412 sites for the other 10 PFAS that were tested.

Additionally, there are 23 results with detections from UCMR3 monitoring that were also included in the occurrence data evaluation. Because the reporting limits used for UCMR3 monitoring (40 ng/L for PFOA and 20 ng/L for PFOS) were much higher than current reporting limits (which are generally below 5 ng/L), the Department did not include UCMR3 data that was below the UCMR3 reporting limits.

Therefore, the Department used results from a total of 435 sampling sites in the evaluation of occurrence data.

PFAS Toxicology Services Contract

In December 2019, the Department's Safe Drinking Water Program executed a toxicology services contract

with Drexel University to: review other state and Federal agency work on MCLs; independently review the data, science and studies; and develop recommended MCLGs for select PFAS. MCLGs are nonenforceable, developed solely based on health effects and do not take into consideration other factors, such as technical limitations and cost. MCLGs are the starting point for determining MCLs.

Deliverables were completed in January 2021 and include the "Drexel PFAS Workbook" and "MCLG Drinking Water Recommendations for PFAS in the Commonwealth of PA" (MCLG Report), available at the following links: Workbook, https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/June%2015/03_PFAS%20Petition/01b_App%202%20Drexel%20PFAS%20Workbook%20January%202021.pdf and Report, https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/June%2015/03_PFAS%20Petition/01a_App%201%20Drexel%20PFAS%20Report%20January%202021.pdf. The MCLG Report was developed by the Drexel PFAS Advisory Group (DPAG)—a multidisciplinary team of experts in toxicology, epidemiology, and drinking water standards and risk assessment. The DPAG reviewed pertinent literature and work across the country and independently developed recommended MCLGs based on non-cancer endpoints. The MCLG Report discusses relevant inputs and includes a summary table for each PFAS that documents the development of the recommended MCLG. Table 2 includes the Reference Dose and recommended Chronic Non-Cancer MCLG for each PFAS that was reviewed.

Table 2. DPAG Reference Dose and Recommended Chronic Non-Cancer MCLGs.

DPAG Reference Dose and Recommended Chronic Non-Cancer MCLGs		
PFAS	Reference Dose (ng/kg/day)	MCLG (ng/L or ppt)
PFOA	3.9	8
PFOS	3.1	14
PFNA	2.2	6
PFHxS	4.0	20
PFHpA	None derived*	8
PFBS	39	55
GenX (HFPO-DA)	75	108

*Reference dose was not derived due to a lack of evidence on its toxicity. Recommended MCLG is based on its chemical structure.

As the DPAG explains in its MCLG Report, it “reviewed a number of recommendations made by EPA and State agencies that chose to create a summative approach to PFAS, combining multiple minimal risk levels or advisory levels into one cumulative drinking water value. No clear consensus exists on this approach and the use of the

summative approach was clearly designed to be a short-cut based on a presumption that the agents all have similar health effects and end points. While this approach may work for other toxins such as dioxins, furans, and coplanar polychlorinated biphenols, it does not appear to be based on evidence available for PFAS. The DPAG therefore committed early in the process to developing an individual MCLG for each of the requested PFAS.” (DPAG, January 2021)

The DPAG further describes in the MCLG Report that “For each of the PFAS studied, the DPAG identified points of departure (POD) and rationale for selection from risk assessments published by other States, the EPA and ATSDR (Agency for Toxic Substances and Disease Registry). DPAG then assessed the underlying critical studies driving the selection of the POD. Every effort was made to use the experience and published findings from other agencies and build and refine on these as much as possible into a best practice approach.” (DPAG, January 2021)

In the “Drexel PFAS Workbook,” the DPAG explains how threshold levels (such as advisory levels, MCLGs, MCLs) are generally determined, although each state’s process can vary. Table 3, taken from the workbook, is a helpful tool in understanding the process. More detail about the DPAG’s determination of MCLGs can be found as follows, under the subsections for PFOA and PFOS.

Table 3. How POD is Used to Calculate Reference Dose (RfD) and Threshold Level (DPAG, June 2020)

PFOA	
US EPA	
Office of Water 2016	
Standard / Guidance	Health Advisory
Media Type	Drinking Water
Threshold Level (ug/L) or (PPT)	0.07 ug/L 70 PPT (PFOA + PFOS cannot exceed this level)
Key Study Information	
Critical Effect Key Study Reference ¹	Developmental (reduced ossification, accelerated puberty) Lau, C., J.R. Thibodeaux, R.G. Hanson, M.G. Narotsky, J.M. Rogers, A.B. Lindstrom, and M.J. Strynar. 2006. Effects of perfluorooctanoic acid exposure during pregnancy in the mouse. Toxicological Science 90:510–518.
Species	Mice
Study Exposure Duration (days)	17 days
Kinetics	
Method of Administered Dose conversion to Internal Serum Level	Modeled AUC
Method to Derive Human Equivalent Dose	Dose adjustment factor of 0.00014 L/kg-day, based on first order kinetic clearance rate ($V_d \times (\ln 2 \div t_{1/2})$)
Dose-Response	
Dose Response Modeling Method	LOAEL
POD ²	38 mg/L
POD x DAF = Human Equivalent Dose ³	0.0053 mg/kg/day
Uncertainty Extrapolation	
Human Variability (UFH)	10
Animal to Human (UFA)	3
Subchronic to Chronic (UFS)	1
LOAEL to NOAEL (UFL)	10
Database (UFD)	1

<i>PFOA</i>	
<i>US EPA</i>	
Total Composite (UFT)	300
HED/UFT= Reference Dose (mg/kg-day) ⁴	(2 x 10 ⁻⁵ mg/kg-day) or 20 ng/kg/d
Receptor	Lactating women
<i>Exposure</i>	
Ingestion Rate (L/day)	
Body Weight (Kg)	
Normalized Drinking Water Intake (L/kg-day)	0.054
Relative Source Contribution	20%
Threshold Level (ug/L) or (PPT) ⁵	0.07 ug/L 70 PPT (PFOA + PFOA cannot exceed this level)
Additional Information	90th percentile consumers only estimate of combined direct and indirect community water ingestion for lactating women (see Table 3-81 in USEPA 2011b).
Reference	Health Effects Support Document for Perfluorooctanoic Acid, U.S. Environmental Protection Agency Office of Water (4304T) Health and Ecological Criteria Division, EPA Document Number: 822-R-16-003. May 2016. And Drinking Water Health Advisory for Perfluorooctanoic Acid, U.S. Environmental Protection Agency Office of Water (4304T) Health and Ecological Criteria Division, EPA Document Number: 822-R-16-005. May 2016 https://www.epa.gov/ground-water-and-drinking-water/drinking-water-health-advisories-pfoa-and-pfos

Footnotes:

- ¹ Critical effect selected
- ² Point of Departure (POD) determined by critical review of study
- ³ POD adjusted by using preferred methods to derive Human Equivalent Dose (HED)
- ⁴ HED divided by Uncertainty Factors (UF) to achieve Reference Dose (RfD) in target population
- ⁵ Final adjustment made based on intake to derive Threshold Level (e.g. MCL, MCLG, HAL, etc.)

Following completion of these two key projects—the PFAS Sampling Plan and the PFAS Toxicology Services Contract—the Department’s Safe Drinking Water Program moved forward with developing a proposed PFAS MCL rule.

MCL rulemaking process

The Department must follow a rigorous process when setting an MCL. An MCL rulemaking must be based on available data, studies, and science, and must consider all factors as required by the Federal Safe Drinking Water Act (Federal Act) (42 U.S.C.A. §§ 300f–300j-27) and the Commonwealth’s Regulatory Review Act (RRA) (71 P.S. §§ 745.1–745.14). Among other things, the Department must consider the following:

- Health effects,
- Occurrence data,
- Technical limitations such as available analytical methods and detection and reporting limits,
- Treatability of the contaminant and available treatment technologies, and
- Costs and benefits. (71 P.S. § 745.5b).

In addition to State requirements, the Department needs to consult the Federal Act and its implementing regulations. See 42 U.S.C.A. §§ 300f–300j-9; see also 40 CFR Parts 141, 142 and 143 (relating to National Primary Drinking Water Regulations; National Primary

Drinking Water Regulations Implementation; and Other Safe Drinking Water Act Regulations). The EPA explains how the agency sets standards at the following link: www.epa.gov/sdwa/how-epa-regulates-drinking-water-contaminants. In establishing the MCLs in this proposed rulemaking, the Department was informed by the EPA’s procedure to establish an MCL. It is important for the Department to understand the EPA’s process of setting an MCL because similar criteria are required of the Department under the RRA and because the MCLs in this proposed rulemaking are the first MCLs that the Department has set; every other MCL in effect in this Commonwealth was set by the EPA and incorporated by reference into the Department’s Chapter 109 regulations. In addition, to retain primacy for implementing the Federal Act in this Commonwealth, the Department’s standard setting process must be at least as stringent as the Federal process.

After reviewing health effects data, the EPA sets an MCLG. MCLGs are nonenforceable public health goals. MCLGs consider only public health and not the limits of detection and treatment technology effectiveness. Therefore, MCLGs sometimes are set at levels which water systems cannot meet because of technical limitations.

Once the MCLG is determined, the EPA sets an enforceable standard. In most cases, the standard is an MCL. The MCL is set as close to the MCLG as feasible.

Taking cost into consideration, the EPA must determine the feasible MCL.

As a part of the rule analysis, the Federal Act requires the EPA to prepare a health risk reduction and cost analysis in support of any standard. The EPA must analyze the quantifiable and nonquantifiable benefits that are likely to occur as the result of compliance with the proposed standard. The EPA must also analyze increased costs that will result from the proposed drinking water standard. In addition, the EPA must consider incremental costs and benefits associated with the proposed alternative MCL values. Where the benefits of a new MCL do not justify the costs, the EPA may adjust the

MCL to a level that maximizes health risk reduction benefits at a cost that is justified by the benefits.

The amendments to Chapter 109 in this proposed rulemaking include new MCLGs and MCLs for PFOA and PFOS. The amendments also include the provisions necessary to comply with the MCLs, including requirements for monitoring and reporting, public notification, consumer confidence reports, acceptable treatment technologies and analytical requirements.

The Department is proposing to not move forward with an MCL for other PFAS at this time due to the reasons outlined in Table 4.

Table 4. Reasons for not moving forward with MCLs for other PFAS.

	PFNA	PFHxS	PFHpA	PFBS	HFPO-DA
Lack of occurrence data > MCLG	x	x		x	x
Incomplete cost/benefit data and analysis	x	x	x	x	x
Reference dose was not derived due to lack of evidence on its toxicity			x		
Lack of treatability data					x

The decision to not move forward with MCLs for additional PFAS at this time is further supported by a review of co-occurrence data. This review considers the frequency with which individual PFAS detections co-occurred with other PFAS detections in the occurrence data set used for this proposed rulemaking. Based on an analysis of co-occurrence data, only 3.7% of all sites (or 16 out of 435 sites) had detections of at least 1 other PFAS at a level greater than its recommended MCLG when PFOA or PFOS levels did not exceed the proposed MCLs. In other words, the PFOA and PFOS proposed MCLs appear to be protective of other PFAS at least 96.3% of the time.

PFOA

PFOA—DPAG development of MCLG

After a literature search and a review of the available evidence and recommendations from various agencies, the DPAG developed an MCLG recommendation for PFOA of 8 ng/L or ppt based on non-cancer endpoints. The DPAG determined that the most relevant inputs were from the EPA, ATSDR, Minnesota Department of Health (MDH), New Jersey Department of Environmental Protection and Michigan Department of Health and Human Services (MDHHS).

The DPAG selected Koskela, et al. (2016) and Onishchenko, et al. (2011) as the critical studies, which identified developmental effects (including neurobehavioral and skeletal effects) as critical. The DPAG adopted the ATSDR’s estimated Point of Departure (POD) of 8.29 mg/L. The DPAG followed the approaches used by MDHHS, MDH and ATSDR to select and determine the HED, UF, RfD, Relative Source Contribution (RSC) and recommended MCLG. Table 5 provides a summary of the DPAG’s derivation of the MCLG for PFOA.

Table 5. DPAG Derivation of PFOA MCLG (DPAG, January 2021)

PFOA	
Drexel PFAS Advisory Group (DPAG) 2021	
Dose Response Modeling Method	LOAEL
POD	The average serum concentration was estimated in the mice (8.29 mg/L) using a three-compartment pharmacokinetic model (Wambaugh et al. 2013) using animal species, strain, sex-specific parameters. (ATSDR 2018)
HED = POD x DAF (mg/kg/d)	DAF = Ke x Vd Ke = 0.000825175 (8.2 x 10 ⁻⁴) based on a human serum half-life of 840 days (Bartell et al. 2010) Vd = 0.17 L/kg (Thompson et al. 2010) HED _{LOAEL} = POD _{LOAEL} x DAF HED _{LOAEL} = POD _{LOAEL} x Ke x Vd HED _{LOAEL} = 8.29 mg/L x 0.000825175 x 0.17 L/kg HED _{LOAEL} = 0.001163 mg/kg/d or 1.163 x 10 ⁻³ mg/kg/d
Uncertainty Extrapolation	
Human Variability (UFH)	10 (standard)

<i>PFOA</i>	
<i>Drexel PFAS Advisory Group (DPAG) 2021</i>	
<i>Dose Response Modeling Method</i>	<i>LOAEL</i>
Animal to Human (UFA)	3 (DAF applied)
Subchronic to Chronic (UFS)	1 (Chronic effect studied)
LOAEL to NOAEL (UFL)	10 (standard)
Database (UFD)	1
Total Composite (UFT)	300
RfD = HED/UFT (mg/kg/d)	RfD = 0.001163 mg/kg/d/300 RfD = 3.9 ng/kg/day (3.9 x 10 ⁻⁶ mg/kg/d)
THSV = POD / UFT	THSV= 8.29 mg/L/ 300 THSV= 0.028 mg/L
Receptor	Infant exposure via breastmilk for 1 year, from mother chronically exposed via water, followed by lifetime of exposure via drinking water. Protective for short-term, subchronic and chronic. (also protective of formula fed infant). Goeden Model Parameters: Placental transfer of 87% and breastmilk transfer of 5.2% (MDH (2020 PFOA)). The Human Serum half-life is set at 840 days (Bartell et al. 2010). The Volume of distribution of 0.17 L/kg (Thompson et al. [2010]) Other factors include, 95th percentile drinking water intake, consumers only, from birth to more than 21 years old. Upper percentile (mean plus two standard deviations) breastmilk intake rate. Time-weighted average water ingestion rate from birth to 30-35 years of age is used to calculate maternal serum concentration at delivery. (Goeden et al. [2019]) A Relative Source Contribution of 50% (0.5) is applied and based on studies which showed that infants RSC is similar to NHANES 95th percentiles for 3-11 (2013-2014) and over 12 years old (2015-2016) participants. (CDC 2019)
Chronic Non-Cancer MCLG	The model produces a Chronic Non-Cancer MCLG of 8 ng/L (ppt). This protects health during the growth and development of a breast fed infant.

In summary, the DPAG recommended a chronic non-cancer MCLG for PFOA of 8 ng/L to protect breast-fed infants and throughout life.

The Board is proposing to set the MCLG for PFOA at the DPAG recommended level of 8 ng/L.

PFOA—occurrence data

Table 6 is a summary of occurrence data for PFOA. The data includes 412 results from the PFAS Sampling Plan and detect data from 23 sites under UCMR3 for a total of 435 sample results.

Table 6. PFOA Occurrence Data > MCLG of 8 ng/L

<i>PFOA Occurrence Data > Proposed MCLG of 8 ng/L</i>	
# of sites (of 435) > MCLG	46
% of sites > MCLG	10.6%
Estimated # of EPs (of 3785) > MCLG	400

A review of occurrence data indicates that 46 EPs out of a total number of 435 EPs sampled exceeded the proposed MCLG for PFOA of 8 ng/L. This represents 10.6% of all EPs sampled. This exceedance rate may overestimate the exceedance rate for other PWSs in this Commonwealth that were not sampled because the occurrence data sampling predominately targeted sites near potential sources of PFAS contamination. However, the occurrence data provides the most relevant information currently available on the prevalence and levels of PFAS in PWSs in this Commonwealth. Applying the occurrence data PFOA MCLG exceedance rate (10.6%) to the total number of EPs for all applicable PWSs (3,785 EPs), it is estimated that 400 EPs will exceed the proposed MCLG of 8 ng/L.

PFOA—proposed MCL of 14 ng/L

The Board is proposing an MCL of 14 ng/L for PFOA. The proposed MCL is based on the health effects and proposed MCLG, occurrence data, technical feasibility, and costs and benefits.

Table 7 is a summary of occurrence data for PFOA when compared to the proposed MCL of 14 ng/L.

Table 7. PFOA Occurrence Data > MCL of 14 ng/L

<i>PFOA Occurrence Data > Proposed MCL of 14 ng/L</i>	
# of sites (of 435) > MCL	25
% of sites > MCL	5.7%
Estimated # of EPs (of 3785) > MCL	218

A review of occurrence data indicates that 25 EPs out of a total number of 435 EPs sampled exceeded the proposed MCL for PFOA of 14 ng/L. This represents 5.7% of all EPs sampled. This exceedance rate may overestimate the exceedance rate for other PWSs in this Commonwealth that were not sampled because the occurrence data sampling predominately targeted sites near potential sources of PFAS contamination. However, the occurrence data provides the most relevant information currently available on the prevalence and levels of PFAS in PWSs in this Commonwealth. Applying the occurrence data PFOA MCL exceedance rate (5.7%) to the total number of EPs for all applicable PWSs (3,785 EPs), it is estimated that 218 EPs will exceed the proposed MCL of 14 ng/L.

Treatment cost estimates were determined based on a survey conducted of systems in this Commonwealth with existing PFAS treatment and of PFAS treatment manufacturers, an American Water Works Association pub-

lished PFAS Case Study and from information provided by members of the Association of State Drinking Water Administrators (ASDWA). Costs were provided for granular activated carbon (GAC), anion exchange (IX) and reverse osmosis (RO). The RO costs were not included in the final cost estimates because, due to wastewater disposal requirements, the technology is currently impractical. Additionally, the costs for GAC, IX and RO provided from the vendors were excluded from the final cost estimates because they were limited to media costs and did not include the infrastructure requirements.

Treatment capital costs were normalized to construction costs for treating 1 million gallons per day (MGD).

- The average capital cost for the GAC treatment was \$3,457,110 per MGD per EP with an average annual operation and maintenance (O&M) cost of \$171,970 per MGD per EP.
- The average capital cost for the IX treatment was \$3,284,360 per MGD per EP with an average annual O&M cost of \$155,666 per MGD per EP.
- The average capital cost for using either GAC or IX treatment is \$3,370,735 per MGD per EP with an average annual O&M cost of \$163,818 per MGD per EP.
- Annualized over 20 years at a 4% interest rate, the average annual capital cost for either GAC or IX treatment is \$248,025 per MGD per EP.

Following is a summary of the estimated costs and benefits associated with the proposed MCL for PFOA of 14 ng/L. Section F of this preamble presents additional information on the costs and benefits of this proposed rulemaking. Treatment cost estimates are based on the costs to install and maintain treatment for a 1 MGD treatment plant. The actual costs would be expected to be proportionally less for a treatment plant with a smaller design capacity. For example, the average design capacity for small systems is 100,000 gallons per day, which is

1/10 of 1 MGD (that is, 0.1 MGD); treatment cost estimates for a small system with a design capacity of 0.1 MGD would be 1/10 of the cost estimates presented as follows.

- Estimated costs:
 - Estimated average annual compliance monitoring costs (@ \$616/EP/Quarter) = \$2.9 M
 - Estimated average annual treatment costs (average of GAC and IX) = \$89.8 M per MGD + estimated annual performance monitoring costs = \$4.8 M
 - Estimated annual treatment capital costs, annualized over 20 years at 4% interest = \$248,025 per MGD per EP × 218 EPs = \$54.1 M per MGD
 - Estimated annual treatment O&M costs = \$35.7 M per MGD + estimated annual performance monitoring costs = \$4.8 M
 - Estimated annual treatment O&M costs = \$163,818 per MGD per EP × 218 EPs = \$35.7 M per MGD
 - Estimated annual performance monitoring costs = \$616 per sample per EP × 36 samples = \$22,176 per EP × 218 EPs = \$4.8 M
 - Estimated total annual costs = \$89.8 M per MGD in treatment costs + \$7.7 M in compliance monitoring and performance monitoring costs
- Estimated benefits:
 - 90% improvement in health protection as compared to current EPA HAL of 70 ppt

Table 8 provides a comparison of annual costs and benefits for the proposed MCL for PFOA of 14 ng/L, EPA's HAL of 70 ng/L, and other values considered for the proposed MCL. Performance monitoring costs are considered part of treatment O&M costs because performance monitoring is used to make operational decisions, such as when to change out treatment media.

Table 8. PFOA Comparison of Annual Costs and Benefits

PFOA Annual Costs and Benefits Analysis								
Value (ng/L)	Estimated # of EPs (of 3,785) > Value	Compliance Monitoring Costs (Millions)	Treatment O&M Costs		Treatment Capital Costs (Millions) per MGD* annualized over 20 years	Total Costs (Millions)	% Increase in Cost Compared to HAL	% Improvement in Health Protection Compared to HAL
			Treatment O&M Costs (Millions) per MGD*	Performance Monitoring Costs (Millions)				
HAL = 70	58	\$2.46	\$9.50	\$1.29	\$14.39	\$27.63	0%	0%
35	78	\$2.56	\$12.78	\$1.73	\$19.35	\$36.41	32%	56%
20	200	\$2.73	\$32.76	\$4.44	\$49.60	\$89.53	224%	80%
MCL = 14	218	\$2.89	\$35.71	\$4.83	\$54.07	\$97.51	253%	90%
12	270	\$2.97	\$44.23	\$5.99	\$66.97	\$120.15	335%	93%
10	313	\$3.07	\$51.28	\$6.94	\$77.63	\$138.92	403%	96%
MCLG = 8	400	\$3.39	\$65.53	\$8.87	\$99.21	\$177.00	541%	100%

*For purposes of totaling annual costs, the costs that vary with design capacity (treatment O&M and treatment capital costs) were multiplied by a benchmark design capacity of 1 MGD.

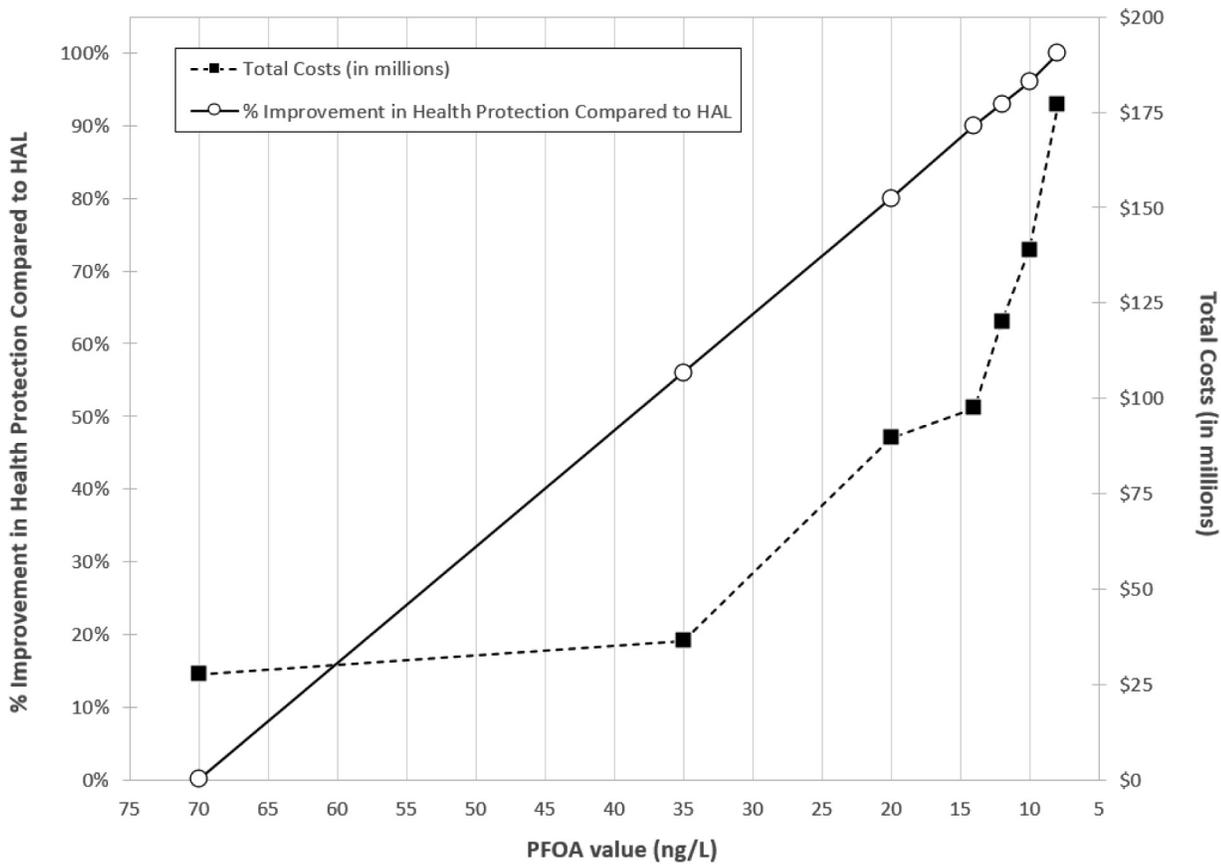
In evaluating the costs and benefits, the Department's goal was to provide at least a 90% reduction in adverse health effects (a 90% improvement in health protection) when compared to the HAL of 70 ng/L. This goal is consistent with several existing drinking water standards including the following standards:

- the requirement to achieve at least a 90% inactivation of *Giardia* cysts using disinfection processes within a filtration plant (§ 109.202(c)(1)(ii) (relating to State MCLs, MRDLs and treatment technique requirements) regarding treatment technique requirements for pathogenic bacteria, viruses and protozoan cysts);

- the use of the 90th percentile lead and copper levels when determining compliance with the lead and copper action levels of 0.015 mg/L and 1.3 mg/L, respectively (§ 109.1102(a) (relating to action levels and treatment technique requirements) regarding action levels for lead and copper), and
- the requirement to meet the filtered water turbidity standards in 95% of measurements taken each month (§ 109.202(c)(1)(i)).

As shown in Table 8 and Figure 1, additional improvement in public health benefits at PFOA values lower than the proposed MCL of 14 ng/L would require increasingly steep costs. For example, compared with the proposed MCL of 14 ng/L, an MCL value of 10 ng/L is estimated to achieve an additional 6% increase at an additional annual cost of approximately \$41.4 million (Table 8, Figure 1), which is a rate of approximately \$7 million in additional annual costs for every additional 1% of benefits. Compared with the HAL, the proposed MCL of 14 ng/L is estimated to achieve a 90% improvement in public health benefits at an additional annual cost of roughly \$70 million, which is a rate of approximately \$0.8 million in additional annual costs for every additional 1% of benefits.

Figure 1. Annual Total Costs and Benefits (% Health Protection Improvement) at Various PFOA levels



For the aforementioned reasons, the Department believes that the proposed MCL for PFOA of 14 ng/L strikes an appropriate balance between the benefits (90% improvement in public health) and costs (253% increase in costs) when compared to the benefits and costs associated with meeting the HAL of 70 ng/L.

PFOS

PFOS—DPAG development of MCLG

After a literature search and a review of the available evidence and recommendations from various agencies, the DPAG developed an MCLG recommendation for PFOS of 14 ng/L or ppt based on non-cancer endpoints. The DPAG referenced inputs from the EPA, ATSDR, MDH and MDHHS.

The DPAG selected Dong, et al. (2011) as the critical study, which identified immunotoxicity effects (including immune suppression) as critical. The DPAG determined that a POD of 2.36 mg/L is appropriate. The DPAG followed the approaches used by MDHHS, MDH and the EPA to select and determine the HED, UF, RfD, RSC and recommended MCLG. Table 9 provides a summary of the DPAG’s derivation of the MCLG for PFOS.

Table 9. DPAG Derivation of PFOS MCLG (DPAG, January 2021)

<i>PFOS</i>	
<i>Drexel PFAS Advisory Group (DPAG) 2021</i>	
<i>Dose Response Modeling Method</i>	<i>NOAEL</i>
POD	2.36 µg/mL (or 2.36 mg/L)
HED = POD x DAF (mg/kg/d)	Toxicokinetic Adjustment based on Chemical- Specific Clearance Rate (Li et al 2018, MDH 2020 PFOS) DAF = Vd (L/kg) x (Ln2/Half-life, days) DAF = 0.23 L/kg x (0.693/1241 days) = DAF = 0.00013 L/kg/d HED = POD x DAF (mg/kg/d) HED = 2.36 mg/L x 0.00013 L/kg/d HED = 0.000307 mg/kg/d
<i>Uncertainty Extrapolation</i>	
Human Variability (UFH)	10
Animal to Human (UFA)	3 (DAF applied)
Subchronic to Chronic (UFS)	1
LOAEL to NOAEL (UFL)	1
Database (UFD)	3
Total Composite (UFT)	100
RfD = HED/UFT (mg/kg/d)	RfD = HED/UFT (mg/kg/d) RfD = 0.000307 mg/kg-d/100 RfD = 3.1 ng/kg/d or 3.1 x 10 ⁻⁶ mg/kg-d
THSV = POD/UFT	ITSHV = 2.36 mg/L/100 ITSHV = 0.024 mg/mL
Receptor	Infant exposure via breastmilk for 1 year, from mother chronically exposed via water, followed by lifetime of exposure via drinking water. Protective for short-term, subchronic and chronic. The 95th percentile water intake rates (Table 3-1 and 3-3, USEPA 2019) or upper percentile breastmilk intake rates (Table 15-1, USEPA 2019) were used. Breast-fed infant, which is also protective of a formula-fed infant using Minnesota Department of Health Model based on Goeden (2019). Placental transfer of 40% (MDH 2020 PFOS). Breastmilk transfer of 1.7% (MDH 2020 PFOS). Human Serum half-life of 1241 days (Li et al. 2018) Volume of distribution of 0.23 L/kg (USA EPA 2016c) 95th percentile drinking water intake, consumers only, from birth to more than 21 years old (Goeden [2019]) Upper percentile (mean plus two standard deviations) breast milk intake rate (Goeden [2019]) Time-weighted average water ingestion rate from birth to 30-35 years of age (to calculate maternal serum concentration at delivery) (Goeden [2019])
Chronic Non-Cancer MCLG	The model produces a Chronic Non-Cancer MCLG of 14 ng/L (ppt). This protects health during the growth and development of a breast fed infant.

In summary, the DPAG recommended a chronic non-cancer MCLG for PFOS of 14 ng/L to protect breast-fed infants and throughout life.

The Board is proposing to set the MCLG for PFOS at the DPAG recommended level of 14 ng/L.

PFOS—occurrence data

Table 10 is a summary of occurrence data for PFOS. The data includes 412 results from the PFAS Sampling Plan and detect data from 23 sites under UCMR3 for a total of 435 sample results.

Table 10. PFOS Occurrence Data > MCLG of 14 ng/L

<i>PFOS Occurrence Data > Proposed MCLG of 14 ng/L</i>	
# of sites (of 435) > MCLG	23
% of sites > MCLG	5.3%
Estimated # of EPs (of 3785) > MCLG	200

A review of occurrence data indicates that 23 EPs out of a total number of 435 EPs sampled exceeded the proposed MCLG for PFOS of 14 ng/L. This represents 5.3% of all EPs sampled. This exceedance rate may overestimate the exceedance rate for other PWSs in this Commonwealth that were not sampled because the occurrence data sampling predominately targeted sites near potential sources of PFAS contamination. However, the occurrence data provides the most relevant information currently available on the prevalence and levels of PFAS in PWSs in this Commonwealth. Applying the occurrence data PFOS MCLG exceedance rate (5.3%) to the total number of EPs for all applicable PWSs (3,785 EPs), it is estimated that 200 EPs will exceed the proposed MCLG of 14 ng/L.

PFOS—proposed MCL of 18 ng/L

The Board is proposing an MCL of 18 ng/L for PFOS. The proposed MCL is based on the health effects and proposed MCLG, occurrence data, technical feasibility, and costs and benefits.

Table 11 is a summary of occurrence data for PFOS when compared to the proposed MCL of 18 ng/L.

Table 11. PFOS Occurrence Data > MCL of 18 ng/L

PFOS Occurrence Data > Proposed MCL of 18 ng/L	
# of sites (of 435) > MCL	22
% of sites > MCL	5.1%
Estimated # of EPs (of 3785) > MCL	191

A review of occurrence data indicates that 22 EPs out of a total number of 435 EPs sampled exceeded the proposed MCL for PFOS of 18 ng/L. This represents 5.1% of all EPs sampled. This exceedance rate may overestimate the exceedance rate for other PWSs in this Commonwealth that were not sampled because the occurrence data sampling predominately targeted sites near potential sources of PFAS contamination. However, the occurrence data provides the most relevant information currently available on the prevalence and levels of PFAS in PWSs in this Commonwealth. Applying the occurrence data PFOS MCL exceedance rate (5.1%) to the total number of EPs for all applicable PWSs (3,785 EPs), it is estimated that 191 EPs will exceed the proposed MCL of 18 ng/L.

Following is a summary of the estimated costs and benefits associated with the proposed MCL for PFOS of 18 ng/L. Section F of this preamble presents additional information on the costs and benefits of this proposed rulemaking. Treatment cost estimates are based on the costs to install and maintain treatment for a 1 MDG treatment plant. The actual costs would be expected to be proportionally less for a treatment plant with a smaller design capacity. For example, the average design capacity for small systems is 100,000 gallons per day, which is 1/10 of 1 MGD (that is, 0.1 MGD); treatment cost

estimates for a small system with a design capacity of 0.1 MGD would be 1/10 of the cost estimates presented as follows:

- Estimated costs:
 - Estimated average annual compliance monitoring costs (@ \$616/EP/Quarter) = \$2.7 M
 - Estimated average annual treatment costs (average of GAC and IX) = \$78.7 M per MGD + estimated annual performance monitoring costs = \$4.2 M
 - Estimated annual treatment capital costs, annualized over 20 years at 4% interest = \$248,025 per MGD per EP × 191 EPs = \$47.4 M per MGD
 - Estimated annual treatment O&M costs = \$31.3 M per MGD + estimated annual performance monitoring costs = \$4.2 M
 - Estimated annual treatment O&M costs = \$163,818 per MGD per EP × 191 EPs = \$31.3 M per MGD
 - Estimated annual performance monitoring costs = \$616 per sample per EP × 36 samples = \$22,176 per EP × 191 EPs = \$4.2 M
 - Estimated total annual costs = \$78.7 M per MGD in treatment costs + \$6.9 M in compliance monitoring and performance monitoring costs
- Estimated benefits:
 - 93% improvement in health protection as compared to current EPA HAL of 70 ppt

Table 12 provides a comparison of annual costs and benefits for the proposed MCL for PFOS of 18 ng/L, EPA's HAL of 70 ng/L and other values considered for the proposed MCL. Performance monitoring costs are considered part of treatment O&M costs because performance monitoring is used to make operational decisions, such as when to change out treatment media.

Table 12. PFOS Comparison of Annual Costs and Benefits

PFOA Annual Costs and Benefits Analysis								
Value (ng/L)	Estimated # of EPs (of 3,785) > Value	Compliance Monitoring Costs (Millions)	Treatment O&M Costs		Treatment Capital Costs (Millions) per MGD* annualized over 20 years	Total Costs (Millions)	% Increase in Cost Compared to HAL	% Improvement in Health Protection Compared to HAL
			Treatment O&M Costs (Millions) per MGD*	Performance Monitoring Costs (Millions)				
HAL = 70	96	\$2.57	\$15.73	\$2.13	\$23.81	\$44.24	—	—
35	148	\$2.64	\$24.25	\$3.28	\$36.71	\$66.87	51%	63%
20	183	\$2.70	\$29.98	\$4.06	\$45.39	\$82.13	86%	89%
MCL = 18	191	\$2.70	\$31.29	\$4.24	\$47.37	\$85.60	94%	93%
16	200	\$2.73	\$32.76	\$4.44	\$49.60	\$89.53	102%	96%
15	200	\$2.81	\$32.76	\$4.44	\$49.60	\$89.61	103%	98%
MCLG = 14	200	\$2.88	\$32.76	\$4.44	\$49.60	\$89.68	103%	100%

*For purposes of totaling annual costs, the costs that vary with design capacity (treatment O&M and treatment capital costs) were multiplied by a benchmark design capacity of 1 MGD.

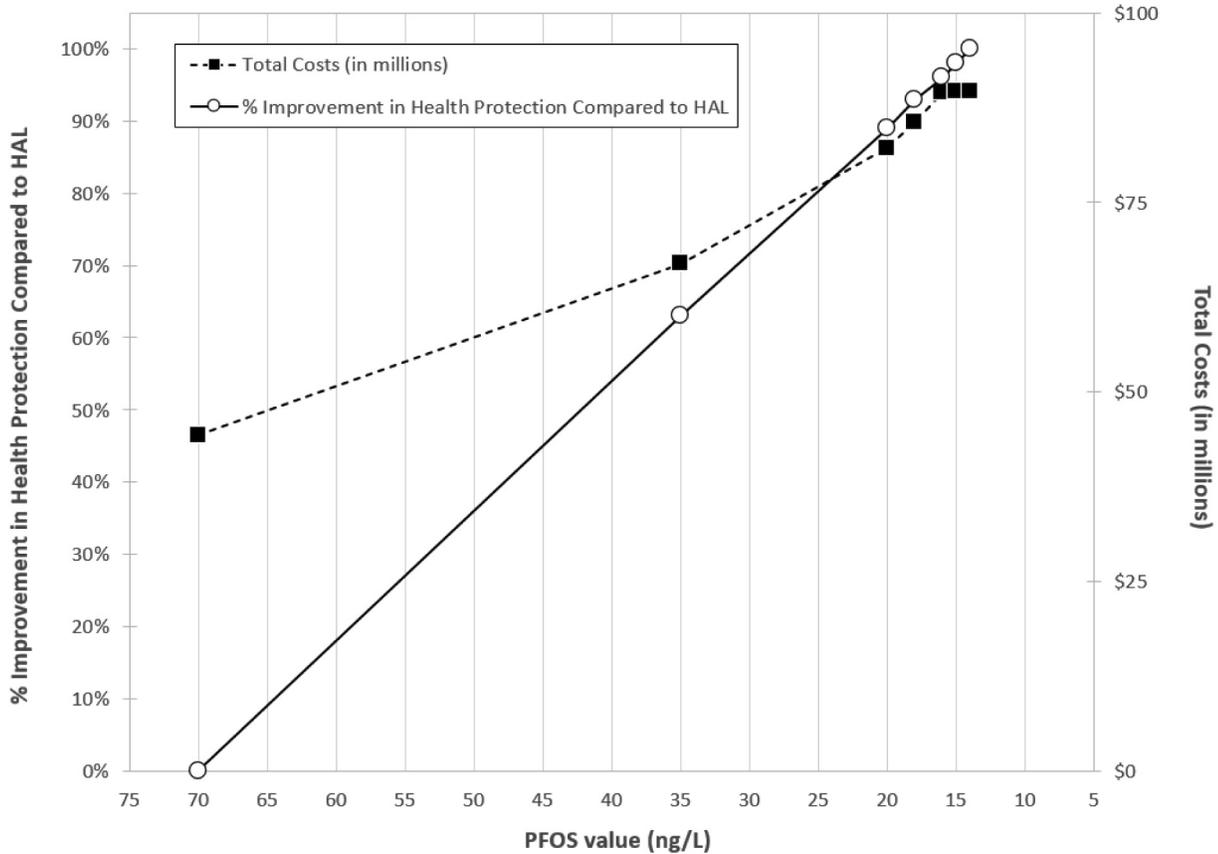
In evaluating the costs and benefits, the Department's goal was to provide at least a 90% reduction in adverse health effects (a 90% improvement in health protection) when compared to the HAL of 70 ng/L. This goal is consistent with several existing drinking water standards including the following standards:

- the requirement to achieve at least a 90% inactivation of *Giardia* cysts using disinfection processes within a filtration plant (§ 109.202(c)(1)(ii) regarding treatment technique requirements for pathogenic bacteria, viruses and protozoan cysts);

- the use of the 90th percentile lead and copper levels when determining compliance with the lead and copper action levels of 0.015 mg/L and 1.3 mg/L, respectively (§ 109.1102(a)), and
- the requirement to meet the filtered water turbidity standards in 95% of measurements taken each month (§ 109.202(c)(1)(i)).

As shown in Table 12 and Figure 2, additional improvement in public health benefits at PFOS values lower than the proposed MCL of 18 ng/L would require increasingly steep costs. For example, compared with the proposed MCL of 18 ng/L, an MCL value of 16 ng/L is estimated to achieve an additional 3% increase at an additional annual cost of approximately \$3.9 million (Table 12, Figure 2), which is a rate of approximately \$1.3 million in additional annual costs for every additional 1% of benefits. Compared with the HAL, the proposed MCL of 18 ng/L is estimated to achieve a 93% improvement in public health benefits at an additional annual cost of roughly \$41.4 million, which is a rate of approximately \$0.4 million in additional annual costs for every additional 1% of benefits.

Figure 2. Annual Total Costs and Benefits (% Health Protection Improvement) at Various PFOS levels



For the aforementioned reasons, the Department believes that the proposed MCL for PFOS of 18 ng/L strikes a balance between the benefits (93% improvement in public health) and costs (94% increase in costs) when compared to the benefits and costs associated with meeting the HAL of 70 ng/L.

State data

Currently, six other states have set MCLs for select PFAS, including PFOA and PFOS, as summarized in Table 13. The proposed MCLs for the Commonwealth are of comparable magnitude as the other state standards.

Table 13. PFOA and PFOS MCLs (in ng/L) from Six Other States

	NY	MI	NJ	NH	PA	MA	VT
PFOA	10	8	14	12	14	20*	20*
PFOS	10	16	13	15	18	20*	20*

*The MCL for MA & VT is for a group of 5 (VT) or 6 (MA) PFAS, including PFOA and PFOS (not individual contaminants).

Advisory Committee review

The Public Water System Technical Assistance Center (TAC) Board reviewed the pre-draft proposed rulemaking on July 29, 2021, and recommended that the pre-draft rulemaking move forward to the Board as a proposed rulemaking.

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E. Summary of Regulatory Requirements

§ 109.1. Definitions

A definition for the acronym “CASRN—Chemical Abstracts Service Registry Number” is proposed to be added because the CASRN numbers are included for each of the individual PFAS compounds included in the regulation.

A definition for “GAC—Granular Activated Carbon” is proposed to be added because GAC is one of the treatment technologies considered acceptable for PFAS removal.

A definition for “MCLG—Maximum Contaminant Level Goal” is proposed to be added. The definition is from 40 CFR 141.2 (relating to definitions) with added text referencing MCLGs established under both the Federal and State acts.

The acronym “MDL” is proposed to be added to the existing definition “Method detection limit” with the amended definition alphabetically reordered. The definition for “Method detection limit” is also proposed to be amended to be consistent with the current definition in the Federal regulations at 40 CFR Part 136 Appendix B (relating to definition and procedure for the determination of the method detection limit—revision 2).

A definition for “MRL—Minimum reporting level” is proposed to be added.

Definitions for the following acronyms are proposed to be added: “PFAS,” “PFOA” and “PFOS.” Definitions for individual compounds include the CASRN number to eliminate confusion as to the specific chemical form that is included in the regulation.

A definition for “Performance Evaluation Sample” is proposed to be added to be consistent with Federal language.

The existing definition for “Reliably and consistently below the MCL” is proposed to be amended to add “PFAS” defined as less than 80% of the MCL.

§ 109.202. State MCLs, MRDLs and treatment technique requirements

Proposed subsection (a)(4) for “Other MCLs” would add MCLs and MCLGs for PFOA and PFOS, with an effective date of the publication of the final-form rulemaking. The MCLs and MCLGs are listed in both milligrams per liter (mg/L), which are the traditional units for MCLs, as well as in nanograms per liter (ng/L) for clarity, since the numbers are so low.

§ 109.301. General monitoring requirements

The duplicated text in paragraph (2)(iv) through (iii) regarding performance monitoring for unfiltered surface water and GUDI, which was inadvertently added following the last regulatory update at 48 Pa.B. 4974 (August 18, 2018), is proposed to be deleted.

Paragraph (6)(vii)(A)(I) and (II) are proposed to be amended for consistency with existing definitions that were amended in 2018 and to clarify that the Zone I and Zone II wellhead protection areas and the Zone A and Zone B surface water intake protection areas are defined in § 109.1 (relating to definitions). The proposed amendments would apply to waivers issued for synthetic organic chemicals (SOCs).

Paragraph (8)(iii) is proposed to be amended to clarify that consecutive water systems may be exempt from PFAS monitoring, in addition to VOCs, SOCs, IOCs and radionuclides.

Paragraph (9) is proposed to be amended to clarify monitoring requirements for point-of-entry (POE) devices. A POE device is installed on the service line to a house, building or other facility for the purpose of reducing contaminants in the water distributed to that property and is used as an alternative to centralized water treatment. POE devices must meet design and construction standards and may only be used as a treatment option by very small PWSs that serve 100 or fewer people for treating sources that were permitted prior to 1992; the POE device must be installed on every connection unless the PWS can demonstrate that water provided to a service connection meets water quality standards. See 25 Pa. Code § 109.612 (relating to POE devices). As a result, POE devices are often not cost effective and currently there are no PWSs in this Commonwealth that have a permit for POE devices. However, the Commonwealth is required to maintain requirements for POE devices to comply with Federal safe drinking water requirements. Consequently, monitoring requirements for POE devices are proposed to be added for PFAS, as well as additional contaminants, as applicable, to correct the omission of paragraphs (10)—(15) and Subchapter K (relating to lead and copper). These requirements should have been added in previous rulemakings but were mistakenly overlooked due to no PWSs in this Commonwealth having a permit for POE devices.

Paragraph (11) is proposed to be amended to clarify that for EPs that do not provide water continuously, monitoring for PFAS is not required during quarters when water is not provided to the public.

Paragraph (15)(i) and (ii) are proposed to be amended to clarify monitoring for PFAS for reserve EPs and EPs that receive water from a reserve source.

Proposed paragraph (16) describes new monitoring requirements for PFAS for community water systems and nontransient noncommunity water systems. Throughout paragraph (16), the proposed provisions utilize terms of art and phrasing that mirror Federal safe drinking water regulations and are consistent with language used throughout the Department’s safe drinking water regulations in Chapter 109.

Proposed paragraph (16)(i)(A)—(C) specify the initial monitoring requirements for PFAS. Initial monitoring consists of four consecutive quarterly samples at each EP, beginning January 1, 2024, for systems serving more than 350 persons and beginning January 1, 2025, for systems serving 350 or fewer persons.

Proposed paragraph (16)(ii)(A)—(C) specify the repeat monitoring requirements for EPs at which at least one of the PFAS with an MCL established under § 109.202(a)(4) is detected at a level equal to or greater than its MRL as defined in § 109.304(f) (relating to analytical requirements).

Proposed paragraph (16)(iii) specifies the repeat monitoring requirements for EPs at which none of the PFAS with an MCL established under § 109.202(a)(4) are detected during initial monitoring.

Proposed paragraph (16)(iv) specifies the repeat monitoring requirements for EPs at which at least one of the PFAS with an MCL established under § 109.202(a)(4) exceeds its corresponding MCL.

Proposed paragraph (16)(v) requires collection of confirmation samples for each PFAS detected in exceedance of its MCL and the timing for collection of confirmation samples.

Proposed paragraph (16)(vi) specifies the repeat and performance monitoring requirements for EPs with PFAS removal treatment.

Proposed paragraph (16)(vii) describes the process by which systems may be able to obtain a monitoring waiver for PFAS. Systems using groundwater or groundwater under the direct influence of surface water monitoring under § 109.301(16)(ii) (relating to general monitoring requirements) may apply for a use waiver for EPs with 3 consecutive years or quarterly or annual samples with no detection of any PFAS with an MCL established under § 109.202(a)(4).

Proposed paragraph (16)(viii) specifies when PFAS samples may be invalidated and utilizes the term “obvious sampling errors” consistent with 40 CFR 141.24(f)(13) and (h)(9) (relating to organic chemicals, sampling and analytical requirements).

Proposed paragraph (16)(ix) specifies how compliance with the PFAS MCLs is determined.

§ 109.303. Sampling requirements

Subsection (a)(4) is proposed to be amended to delete an incorrect cross reference to § 109.302(f) regarding special monitoring requirements. The special monitoring requirements under § 109.302(f) relate to groundwater under the direct influence of surface water and are taken from the collection facilities (raw source water) and not the EP to the distribution system.

Proposed subsection (a)(6) specifies the sampling requirements for PFAS. Samples must be collected at the EP and be representative of each source during normal operating conditions. Samples must be collected by a properly trained sample collector.

§ 109.304. Analytical requirements

Proposed subsection (f) specifies the analytical requirements for the PFAS with an MCL.

Proposed subsection (f)(1) specifies acceptable analytical methods and MRLs. The MRLs for PFOA and PFOS are set at 5 ng/L. This level was determined through the survey conducted by the Department of laboratories accredited by this Commonwealth for PFAS analysis. It was

determined using the Department’s experience with laboratories finding a balance between reporting to a low level and still meeting all method required quality control.

Proposed subsection (f)(2) specifies the requirement that analysis must be conducted by a laboratory accredited by the Department.

Proposed subsection (f)(3) specifies the requirement for laboratories to determine MDLs for each analyte.

Proposed subsection (f)(4) specifies the requirements for laboratories to analyze performance evaluation samples at least annually.

Proposed subsection (f)(5) requires that the MRL must be contained within the range of calibration.

§ 109.411. Content of a public notice

Subsection (e)(1) is proposed to be amended for formatting purposes to place the existing requirement to use the health effects language for fluoride in each Tier 2 public notice into a separate subparagraph.

Proposed subsection (e)(1)(i) includes the relocated requirement to use the health effects language for fluoride, which was previously included in § 109.411(e)(1) (relating to content of a public notice).

Proposed subsection (e)(1)(ii) and (iii) add the requirement to include the health effects language for PFOA or PFOS in each Tier 2 public notice for violation of the respective primary MCL, and includes the health effects language that must be used.

§ 109.416. CCR requirements

Proposed paragraph (3.1) adds consumer confidence report (CCR) reporting requirements for PFAS with an MCL.

Proposed paragraph (3.1)(i)(A)—(G) specify the information on detected results that must be reported.

Proposed paragraph (3.1)(ii) requires that the respective health effects language in § 109.411(e)(1)(ii) and (iii) must be included for violation of a primary MCL for PFOA or PFOS.

§ 109.503. Public water systems construction permits

Proposed subsection (a)(1)(iii)(D)(XIV.1) would add new source sampling requirements for PFAS.

§ 109.602. Acceptable design

Proposed subsection (j) identifies treatment technologies considered acceptable by the Department for compliance with the PFAS MCLs.

§ 109.701. Reporting and recordkeeping

Subsection (a)(3)(ii) is proposed to be amended to clarify that 1-hour reporting is required when a sample result requires collection of a confirmation or check sample. The word “confirmation” is proposed to be added because the terms “check” and “confirmation sample” are often used interchangeably but each are used in different locations in § 109.301. Under proposed § 109.301(16)(v), a confirmation sample shall be collected when PFAS is detected in exceedance of its respective MCL.

§ 109.1003. Monitoring requirements

The proposed provisions for this section utilize terms of art and phrasing that mirror Federal safe drinking water regulations and are consistent with language used throughout the Department’s safe drinking water regulations in Chapter 109.

Proposed subsection (a)(1)(xv) identifies the PFAS monitoring requirements for bottled, vended, retail and bulk (BVRB) water systems. Compliance monitoring for all BVRB systems begins January 1, 2024.

Proposed subsection (a)(1)(xv)(A) identifies the PFAS monitoring exemption for BVRB systems that obtain finished water from another permitted public water system.

Proposed subsection (a)(1)(xv)(B) identifies the initial PFAS monitoring requirements for BVRB systems. Initial monitoring consists of 4 consecutive quarters at each entry point.

Proposed subsection (a)(1)(xv)(C)(I) and (II) identify the repeat PFAS monitoring requirements for BVRB systems.

Proposed subsection (a)(1)(xv)(D) identifies the confirmation sampling requirements for PFAS monitoring for BVRB systems that detect a PFAS in exceedance of its MCL during annual monitoring.

Proposed subsection (a)(1)(xv)(E) identifies the repeat and performance PFAS monitoring requirements for BVRB systems with PFAS removal treatment.

Proposed subsection (a)(1)(xv)(F)(I) and (II) specify when PFAS samples may be invalidated for BVRB systems and utilize the term “obvious sampling errors” consistent with 40 CFR 141.24(f)(13) and (h)(9).

Proposed subsection (a)(1)(xv)(G) identifies how compliance with the PFAS MCLs is determined for BVRB systems.

Subsection (b)(3) is proposed to be amended to clarify that sampling and analysis for PFAS must be in accordance with the requirements in § 109.304.

Subsection (b)(6) is proposed to be amended to delete language that is also in subsection (b)(3), and to add the requirement that compliance monitoring samples for PFAS for BVRB systems must be collected by a properly trained sample collector.

§ 109.1403. *Monitoring waiver fees*

Subsection (a) is proposed to be amended to add a PFAS use waiver fee of \$100.

F. *Benefits, Costs and Compliance*

Benefits

The proposed PFOA and PFOS MCLs will apply to all 3,117 community, nontransient noncommunity and BVRB water systems in this Commonwealth. Of these, 1,905 are community water systems, serving a combined population of approximately 11.4 million Pennsylvanians. Another 1,096 are nontransient noncommunity water systems serving approximately 507,000 persons.

The benefits associated with reductions of PFOA and PFOS in drinking water arise from a reduction in adverse human health effects. Exposure to PFOA is associated with adverse developmental effects (including neurobehavioral and skeletal effects) and exposure to PFOS is associated with adverse immune system impacts (including immune suppression). Benefits may also be derived from customer actions to avoid exposure, such as a customer’s purchase of bottled water or the installation and operation of home water treatment systems.

The benefits of proposed MCLs can be presented as a percent improvement in public health protection as compared to EPA’s HAL of 70 ng/L. Table 14 includes a summary of the percent improvement in public health protection for PFOA and PFOS at several levels.

Table 14. *Percent Improvement in Health Protection as Compared to EPA’s HAL*

PFOA		PFOS	
<i>Various Levels (ng/L)</i>	<i>Percent Improvement in Health Protection as Compared to EPA HAL of 70 ng/L</i>	<i>Various Levels (ng/L)</i>	<i>Percent Improvement in Health Protection as Compared to EPA HAL of 70 ng/L</i>
35	56%	35	63%
20	80%	20	89%
14 (MCL)	90%	18 (MCL)	93%
12	93%	16	96%
10	96%	15	98%
8 (MCLG)	100%	14 (MCLG)	100%

The percentage improvement in health protection values for PFOA and PFOS are based on an assumption that there is a linear improvement in health protection between the EPA HAL and the DPAG MCLG. The amount of improvement is set such that it totals 100% between the EPA HAL and the DPAG MCLG. The equation for calculating percent improvement in health protection is established as follows:

$$\text{Percent Improvement} = ((\text{EPA HAL} - \text{MCLG})^{-1} \times 100) \times (\text{EPA HAL} - \text{Level "X"})$$

As per the DPAG MCLG Report, PFOA has the potential to disrupt human development. The most sensitive developmental effects observed include neurobehavioral and skeletal effects. It is anticipated that these developmental effects have a measurable effect on the health of infants. The proposed MCL for PFOA of 14 ng/L would be expected to improve health protection and lower the incidence of developmental effects by 90% compared with the EPA HAL of 70 ng/L.

The DPAG MCLG Report also found that PFOS has the potential to disrupt the immune system. The effects of immune suppression are anticipated to reduce the ability to resist infections, potentially increasing the risk, duration and severity of diseases. These immune effects from PFOS have a substantial effect on the health and economy of this Commonwealth. The proposed MCL for PFOS of 18 ng/L would be expected to improve health protection and lower the incidence of immune suppression effects by 93% compared with the EPA HAL of 70 ng/L.

Compliance monitoring costs

Compliance monitoring cost estimates for this proposed rulemaking were determined based on a survey conducted of laboratories accredited in this Commonwealth for PFAS analysis by one or more of the analytical methods in this proposed rulemaking, as well as assumptions made based on an analysis of the occurrence data. According to lab survey results, the analytical cost for PFAS by either EPA Method 533, EPA Method 537 version 1.1 or EPA Method 537.1 varied greatly among the labs that responded, with a range of \$325 to \$750, and an average of \$516, including the cost of analysis of the associated field reagent blank required by the methods for each sample site. This does not include an additional fee for sample collection, which also varied greatly among the labs offering that service; sample collection is approximately an additional \$200 based on the survey.

Approximately half of the responding laboratories noted that they offer a cost reduction for reporting of fewer

analytes than included in the method, which would provide a cost savings for systems since monitoring is required for only two analytes—PFOA and PFOS. Also, a few labs noted potential savings if there are no detections in the sample; the associated field blank would be extracted, but would not need to be analyzed, which would reduce the overall cost. A few labs also noted potential additional fees for PFAS-free blank water, overnight shipping costs for samples and Level 4 data reports if requested.

For compliance monitoring cost estimates, it was assumed that approximately half of all water systems will collect their own samples and half will utilize sample collection services provided by the laboratory. Therefore, an average cost of \$616 per sample was used in the following compliance monitoring cost estimate calculations.

In this proposed rulemaking, initial quarterly monitoring for community and nontransient noncommunity systems serving a population of more than 350 persons begins January 1, 2024, and initial quarterly monitoring for community and nontransient noncommunity systems serving 350 or fewer persons begins January 1, 2025. This population breakdown was selected to evenly split initial monitoring across 2 years to ease laboratory capacity issues and allow small systems more time to prepare for compliance monitoring. Initial monitoring for BVRB systems begins January 1, 2024. Based on the number of PWSs and EPs in the Pennsylvania Drinking Water Information System (PADWIS) at the time of this proposed rulemaking, there are 1,885 EPs that will begin monitoring in year 1 (2024) and 1,900 that will conduct initial monitoring in year 2 (2025).

This proposed rulemaking requires repeat compliance monitoring on a quarterly basis for any EPs at which either PFOA or PFOS is detected at a level above its respective minimum reporting limit (MRL), including those EPs at which one or both MCLs are exceeded. If the quarterly repeat monitoring results are reliably and consistently below the MCLs, the frequency of repeat monitoring may be reduced from quarterly monitoring to annual monitoring. Based on the occurrence data, it is assumed that up to 34.9% of all EPs will have a detection

of PFOA or PFOS, or both, at or above the relevant MRL; this equates to 658 EPs of the year 1 initial systems that will need to continue quarterly repeat monitoring in year 2, and 663 EPs of the year 2 initial systems that will need to continue quarterly repeat monitoring in year 3. The remaining systems (1,227 EPs in year 1 and 1,237 EPs in year 2) were assumed to conduct annual repeat monitoring in each year following the initial monitoring, but this overestimates the repeat monitoring requirements and costs after the initial monitoring because, for EPs where initial monitoring results do not detect PFOA or PFOS, the frequency of repeat monitoring is reduced from annual to once every 3 years.

In addition to and separate from the performance monitoring required by permit special condition, systems with EPs that exceed one or both MCLs may require treatment, which would require the system to conduct ongoing repeat compliance monitoring at least annually. Using the noncompliance rate of 7.4% from the occurrence data (as described in section D of this preamble), a total of 280 EPs are estimated to require ongoing repeat compliance monitoring: 139 EPs from initial year 1 and 141 EPs from initial year 2. However, this is likely an overestimate because: (1) systems may have options other than installing treatment to address concentrations of PFOA or PFOS, or both, above the relevant MCL; and (2) the occurrence data sampling predominately targeted sites near potential sources of PFAS contamination, so the exceedance rate in the occurrence data may overestimate the exceedance rate for other PWSs in this Commonwealth that were not included in the occurrence data. For total compliance monitoring cost estimates, the ongoing annual compliance monitoring for EPs where treatment is installed was assumed to begin in the third year of monitoring (year 3 or year 4 overall).

Using these assumptions (which likely overestimate the compliance monitoring requirements and costs for the reasons described previously) and an estimated average cost of \$616 per sample, Table 15 summarizes the overall cost estimates for compliance monitoring costs in each of the first four years of rule implementation. Note that this estimate does not include performance monitoring costs.

Table 15. Compliance Monitoring Costs

	Total # EPs	Quarterly Initial EPs	Annual Repeat EPs	Quarterly repeat EPs	Quarterly compliance monitoring cost	Annual compliance monitoring cost	Total yearly compliance monitoring cost
Year 1	1885	1885	0	0	\$4,644,640	\$0	\$4,644,640
Year 2	1900	1900	1227	658	\$6,302,579	\$755,915	\$7,058,495
Year 3		0	3122	663	\$1,633,878	\$1,923,090	\$3,556,969
Year 4		0	3785	0	\$0	\$2,331,560	\$2,331,560

Based on these estimates, the average annual monitoring costs over the first 4 years are \$4,397,916. Note that this average annual compliance monitoring cost estimate of approximately \$4.4 M is less than the sum of the average annual compliance monitoring cost estimates presented in section D of this preamble for PFOA (\$2.9 M) and PFOS (\$2.7 M). The reason for this difference in the average annual compliance monitoring cost estimates when considered for each individual contaminant (that is, PFOA and PFOS separately) compared with both contaminants together is that exceedances of the proposed PFOA and PFOS MCLs are expected to co-occur at some sites. For instance, the occurrence data showed exceedance rates of the individual proposed MCLs for PFOA and PFOS of 5.7% and 5.1%, respectively; however, the exceedance rate for the proposed MCLs accounting for co-occurring exceedances was only 7.4% (not 10.8%, the sum of the exceedance rates for the proposed MCLs considered individually). Since the laboratory analytical methods include both PFOA and PFOS, systems with exceedances of both proposed MCLs will not have to collect separate samples for PFOA and PFOS, which results in some reduction in compliance monitoring costs for these systems compared with if each contaminant is considered separately. However, because PFOA and PFOS are each associated with different health

effects and have different recommended MCLGs, the compliance monitoring cost estimates are presented separately for each contaminant in section D of this preamble to inform the cost-benefit analysis for each MCL.

Treatment costs

Treatment cost estimates were determined based on a survey conducted of systems in this Commonwealth with existing PFAS treatment and of PFAS treatment manufacturers, an American Water Works Association published PFAS Case Study, and from information provided by members of the ASDWA. Costs were provided for GAC, IX and RO. The RO costs were not included in the final cost estimates because, due to wastewater disposal requirements, the technology is currently impractical. Additionally, the costs for GAC, IX, and RO provided from the vendors were excluded from the final cost estimates because they were limited to media costs and did not include the infrastructure requirements.

GAC and IX construction costs were based on a lead lag configuration where the first vessel (lead vessel) is capable of treating the entire flow and second vessel (lag vessel) is provided for polishing.

Treatment costs were normalized to construction costs for treating 1 MGD. As shown in Table 16, the average capital cost for the GAC treatment was \$3,457,110 per MGD per EP with an average annual O&M cost of \$171,970 per MGD per EP.

Table 16. GAC Treatment Costs

Treatment	System	Capital Cost per MGD per EP	Annual O&M Cost per MGD per EP
GAC	Vendor A	\$343,000 *	\$32,018
GAC	Vendor B	\$535,000 *	\$356,000
GAC	System A (2 GAC and 1 IX)	\$3,125,000	\$107,007
GAC	System B, Site 1	\$1,675,347	\$121,528
GAC	System B, Site 2	\$2,454,259	\$220,820
GAC	System B, Site 3	\$2,433,333	\$194,444
GAC	System C	\$9,250,000	unknown
GAC	System D	\$3,139,000	unknown
GAC	System E	\$1,135,497	unknown
GAC	System F	\$4,444,444	unknown
Average cost of GAC per MGD per EP		\$3,457,110	\$171,970

* Not included in calculations

As shown in Table 17, the average capital cost for the IX treatment was \$3,284,360 per MGD per EP with an average annual O&M cost of \$155,666 per MGD per EP.

Table 17. IX Treatment Costs

Treatment	System	Capital Cost per MGD per EP	Annual O&M Cost per MGD per EP
IX	Vendor A	\$357,000 *	\$59,361 *
IX	Vendor B	\$500,000 *	\$175,000
IX	Vendor D	No information	\$159,722
IX	System G	\$10,400,000	unknown
IX	System H	\$3,333,000	unknown
IX	System I	\$634,900	unknown
IX	System J	\$1,128,000	unknown
IX	System K	\$925,900	\$132,275
Average cost of IX per MGD per EP		\$3,284,360	\$155,666

* Not included in calculations

The average capital costs of the GAC and IX treatment is \$3,370,735 per MGD per EP with an average annual O&M costs \$163,818 per MGD per EP.

To estimate annual treatment costs, the average capital cost of treatment installation of \$3,370,735 per MGD per EP was annualized over 20 years at a 4% interest rate.

This yields an estimated annualized capital cost of \$248,025 per MGD per EP.

In addition, water systems that install treatment will need to conduct performance monitoring, to verify treatment efficacy. Using the average cost per sample of \$616 and assuming a total of 36 performance monitoring

samples per year—monthly samples at each of three locations (raw water, mid-point of treatment and finished water)—that is an additional annual cost of \$22,176 per EP.

In the occurrence data, the percentage of EPs exceeding the proposed MCLs for PFOA and PFOS was 5.7% and 5.1%, respectively; however, due to co-occurrence of PFOA and PFOS, some EPs that exceeded the proposed MCL for PFOA also exceeded the proposed MCL for PFOS. In the occurrence data, the percentage of EPs exceeding the proposed MCL for PFOA or the proposed MCL for PFOS, or both, was 7.4%. However, this exceedance rate may overestimate the exceedance rate for the other PWSs in this Commonwealth that were not sampled, because the occurrence data sampling predominately targeted sites near potential sources of PFAS contamination. Also, as treatment for PFOA and PFOS is the same, EPs exceeding both MCLs would not be required to install two different treatment systems; therefore, the estimated percentage of EPs requiring treatment is less than the combined percentage of systems exceeding either MCL in the occurrence data. Additionally, systems with MCL exceedances may have several options to address the contamination aside from installing treatment, including taking contaminated sources offline, making operational changes such as blending sources, or using alternate sources of supply (developing new sources or using purchased sources from a new interconnect). Recognizing that the MCL exceedance rates from the occurrence data may overestimate the proportion of systems that will need to install treatment to address MCL exceedances for the aforementioned reasons, the occurrence data provides the most relevant information currently available on the prevalence and levels of PFAS in PWSs in this Commonwealth. Using the 7.4% exceedance rate from the occurrence data to estimate how many of the larger universe of 3,785 EPs may require treatment to meet one or both proposed MCLs produces an estimate of 280 EPs. At an average annualized treatment capital cost of \$248,025 per MGD per EP, and assuming 280 EPs require treatment installed, the total estimated annual treatment costs are shown in Table 18.

Table 18. Total Estimated Annual Treatment Costs

Estimated average annualized treatment capital costs (per MGD per EP)	\$248,025
Estimated average annual treatment O&M costs (per MGD per EP)	\$163,818
Estimated average annual treatment capital + O&M costs (per MGD per EP)	\$411,843
Estimated annual performance monitoring costs (per EP)	\$22,167
Estimated # of EPs (of 3,785) that require treatment for one or both MCLs	280
Total estimated average annual treatment capital + O&M costs (per MGD)	\$115,316,040
Total estimated annual performance monitoring costs	\$6,206,760

Compliance assistance plan

The Department’s Safe Drinking Water Program utilizes Pennsylvania Infrastructure Investment Authority (PENNVEST) programs to offer financial assistance to eligible PWSs. This assistance is in the form of a low-interest loan, with some augmenting grant funds for

hardship cases. Eligibility is based upon factors such as public health impact, compliance necessity and project/operational affordability.

In addition to the standard funding mentioned previously, PENNVEST approved an additional funding program in 2021 under authority of the act of November 27, 2019 (P.L. 695, No. 101). The PENNVEST PFAS Remediation Program is designed as an annual funding opportunity to aid in the remediation and elimination of PFAS in PWSs. In 2021, approximately \$25 million was made available for this grant program.

The Department’s Safe Drinking Water Program has established a network of regional and Central Office training staff that is responsive to identifiable training needs. The target audience in need of training may be either program staff or the regulated community.

In addition to this network of training staff, the Department’s Bureau of Safe Drinking Water has staff dedicated to providing both training and technical outreach support services to PWS owners and operators. The Department’s web site also provides timely and useful information for treatment plant operators.

Paperwork requirements

No new forms are required for implementation of the proposed amendments.

G. Sunset Review

This proposed rulemaking will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 15, 2022, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

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

I. Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Board. The Board is seeking comments on any aspect of this proposed rulemaking, but particularly on anticipated health benefits and on the anticipated costs to comply with the proposed MCLs, including costs to design, install, and operate treatment and other remedies. Comments, suggestions or objections must be received by the Board by April 27, 2022.

Comments may be submitted to the Board online, by e-mail, by mail or express mail as follows.

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

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

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

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

J. Public Hearings

The Board will hold five virtual public hearings for the purpose of accepting comments on this proposed rulemaking. The hearings will be held as follows:

March 21, 2022, at 1 p.m.

March 22, 2022, at 6 p.m.

March 23, 2022, at 1 p.m.

March 24, 2022, at 9 a.m.

March 25, 2022, at 9 a.m.

Persons wishing to present testimony at a hearing must contact Jennifer Swan for the Department and the Board, (717) 783-8727 or RA-EPEQB@pa.gov, by 5 p.m. on March 18, 2022 to reserve a time to present testimony. Language interpretation services are available upon request. Persons in need of language interpretation services must contact Jennifer Swan at (717) 787-4526 by 5 p.m. on March 17, 2022.

Oral testimony is limited to 5 minutes for each witness. Organizations are limited to designating one witness to present testimony on their behalf at one hearing. Witnesses may provide testimony by means of telephone or Internet connection. Video demonstrations and screen sharing by witnesses will not be permitted.

Witnesses are requested to submit written copy of their verbal testimony by e-mail to RegComments@pa.gov after providing testimony at the hearing.

Information on how to access the virtual public hearings will be available on the Board's webpage found through the Public Participation tab on the Department's web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board"). Prior to a hearing, individuals are encouraged to visit the Board's webpage for the most current information for accessing the hearing.

Members of the public wishing to observe a virtual public hearing without providing testimony are also directed to access the Board's webpage. Those who have not registered with Jennifer Swan in advance as described previously will remain muted for the duration of the public hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Board at (717) 787-4526 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs.

PATRICK McDONNELL,
Chairperson

Fiscal Note: 7-569. No fiscal impact; (8) recommends adoption.

Annex A

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

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 109. SAFE DRINKING WATER

Subchapter A. GENERAL PROVISIONS

§ 109.1. Definitions.

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

* * * * *

Bulk water hauling system—A public water system which provides water piped into a carrier vehicle and withdrawn by a similar means into the user's storage facility or vessel. The term includes, but is not limited to, the sources of water, treatment, storage or distribution facilities. The term does not include a public water system which provides only a source of water supply for a bulk water hauling system.

CASRN—Chemical Abstracts Service Registry Number.

CCR—Consumer Confidence Report—An annual water quality report that community water systems deliver to their customers, as described in § 109.416 (relating to CCR requirements).

* * * * *

Flowing stream—A course of running water flowing in a definite channel.

GAC—Granular Activated Carbon—A highly porous adsorbent carbon material produced by heating organic matter that can absorb various dissolved chemicals in the water.

GAC10—A granular activated carbon filter bed with an empty bed contact time of 10 minutes based on average daily flow and a carbon reactivation frequency of every 180 days, except that the reactivation frequency for GAC10 used as a BAT shall be 120 days.

* * * * *

MCL—Maximum Contaminant Level—The maximum permissible level of a contaminant in water which is delivered to a user of a public water system, and includes the primary and secondary MCLs established under the Federal act, and MCLs adopted under the act.

MCLG—Maximum Contaminant Level Goal—

(i) The maximum level of a contaminant in drinking water at which no known or anticipated adverse effect on the health of persons would occur, and which allows an adequate margin of safety.

(ii) The term includes the MCLGs established under the Federal act and MCLGs adopted under the act.

(iii) Maximum contaminant level goals are non-enforceable health goals.

MDL—Method detection limit—The minimum measured concentration of a substance that can be reported with 99% confidence that the measured concentration is distinguishable from method blank results.

MRDL—Maximum Residual Disinfectant Level—The maximum permissible level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap without an unacceptable possibility of adverse health effects. The consumer's tap means the entry point for bottled water and vended water systems, retail water facilities and bulk water hauling systems.

MRL—Minimum reporting level—The minimum quantitation limit that can practically and consistently be achieved, with 95% confidence, by capable analysts at 75% or more of laboratories using a specified analytical method.

Membrane filtration—

(i) A pressure or vacuum driven separation process in which particulate matter larger than 1 micrometer is rejected by an engineered barrier, primarily through a size-exclusion mechanism, and which has a measurable removal efficiency of a target organism that can be verified through the application of a direct integrity test.

(ii) The term includes the common membrane technologies of microfiltration, ultrafiltration, nanofiltration and reverse osmosis.

[Method detection limit—The amount of a substance which the EPA has determined to be the minimum concentration which can be measured and be reported with 99% confidence that the true value is greater than zero.]

Microorganism—Any of a number of unicellular, multicellular or colonial bacteria, fungi, protozoa, archaea or viruses whose individuals are too small to be seen by the human eye without magnification.

* * * * *

PDWEP—Guidelines for Public Drinking Water Equipment Performance issued by NSF.

PFAS—Perfluoroalkyl and Polyfluoroalkyl Substances.

PFOA—Perfluorooctanoic acid—CASRN 335-67-1.

PFOS—Perfluorooctanesulfonic acid—CASRN 1763-23-1.

Performance Evaluation Sample—A reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within the limits of performance specified by the Department. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

Person—An individual, partnership, association, company, corporation, municipality, municipal authority, political subdivision, or an agency of Federal or State government. The term includes the officers, employees and agents of a partnership, association, company, corporation, municipality, municipal authority, political subdivision, or an agency of Federal or State government.

* * * * *

Recycle flows—Any water, solid or semi-solid generated by a conventional or direct filtration plant's treatment process and residual treatment processes that is returned to the plant's treatment process.

Reliably and consistently below the MCL—

(i) For [**VOCs, SOCs, and IOCs (with the exception of nitrate and nitrite),**] **VOCs, SOCs, IOCs (with the exception of nitrate and nitrite), and PFAS**, this means that each sample result is less than 80% of the MCL.

(ii) For nitrate and nitrite, this means that each sample result is less than 50% of the MCL.

* * * * *

Subchapter B. MCLs, MRDLs OR TREATMENT TECHNIQUE REQUIREMENTS

§ 109.202. State MCLs, MRDLs and treatment technique requirements.

(a) *Primary MCLs, MRDLs and treatment technique requirements.*

* * * * *

(3) A public water system that is installing granular activated carbon or membrane technology to comply with the MCL for TTHMs, HAA5, chlorite (where applicable) or bromate (where applicable) may apply to the Department for an extension of up to 24 months past the applicable compliance date specified in the Federal regulations, but not beyond December 31, 2003. In granting the extension, the Department will set a schedule for compliance and may specify any interim measures that the Department deems necessary. Failure to meet the schedule or interim treatment requirements constitutes a violation of National Primary Drinking Water Regulations.

(4) Other MCLs.

(i) **Effective dates. The MCLGs and MCLs in subparagraph (ii)(A)—(B) are effective on _____.**

(Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking when published as a final-form rulemaking.)

(ii) **The MCLGs and MCLs for PFAS are:**

	<i>CASRN</i>	<i>Contaminant</i>	<i>MCLG (mg/L)</i>	<i>MCL (mg/L)</i>	<i>MCLG (ng/L)</i>	<i>MCL (ng/L)</i>
(A)	335-67-1	PFOA	0.000008	0.000014	8	14
(B)	1763-23-1	PFOS	0.000014	0.000018	14	18

(b) *Secondary MCLs.*

* * * * *

Subchapter C. MONITORING REQUIREMENTS

§ 109.301. General monitoring requirements.

Public water suppliers shall monitor for compliance with MCLs, MRDLs and treatment technique require-

ments in accordance with the requirements established by the EPA under the National Primary Drinking Water Regulations, 40 CFR Part 141 (relating to National Primary Drinking Water Regulations), except as otherwise established by this chapter unless increased monitoring is required by the Department under § 109.302 (relating to special monitoring requirements). Alternative

monitoring requirements may be established by the Department and may be implemented in lieu of monitoring requirements for a particular National Primary Drinking Water Regulation if the alternative monitoring requirements are in conformance with the Federal act and regulations. The monitoring requirements shall be applied as follows:

* * * * *

(2) *Performance monitoring for unfiltered surface water and GUDI.* A public water supplier using unfiltered surface water or GUDI sources shall conduct the following source water and performance monitoring requirements on an interim basis until filtration is provided, unless increased monitoring is required by the Department under § 109.302:

(i) Except as provided under subparagraphs (ii) and (iii), a public water supplier:

(A) Shall perform *E. coli* or total coliform density determinations on samples of the source water immediately prior to disinfection. Regardless of source water turbidity, the minimum frequency of sampling for total coliform or *E. coli* determinations may be no less than the following:

<i>System Size (People)</i>	<i>Samples / Week</i>
<500	1
500—3,299	2
3,300—10,000	3
10,001—25,000	4
25,001 or more	5

(B) Shall measure the turbidity of a representative grab sample of the source water immediately prior to disinfection as follows until August 19, 2019:

(I) For systems that operate continuously, at least once every 4 hours that the system is in operation, except as provided in clause (C).

(II) For systems that do not operate continuously, at start-up, at least once every 4 hours that the system is in operation, and also prior to shutting down the plant, except as provided in clause (C).

(C) May substitute continuous turbidity monitoring for grab sample monitoring until August 19, 2019, if it validates the continuous measurement for accuracy on a regular basis using a procedure specified by the manufacturer. At a minimum, calibration with an EPA-approved primary standard shall be conducted at least quarterly.

(D) Shall continuously monitor and record the turbidity of the source water immediately prior to disinfection beginning August 20, 2019, using an analytical method specified in 40 CFR 141.74(a) and record the results at least every 15 minutes while the source is operating. If there is a failure in the continuous turbidity monitoring or recording equipment, or both, the supplier shall conduct grab sampling or manual recording, or both, every 4 hours in lieu of continuous monitoring or recording. The public water supplier shall notify the Department within 24 hours of the equipment failure. Grab sampling or manual recording may not be substituted for continuous monitoring for longer than 5 working days after the equipment fails. The Department will consider case-by-case extensions of the time frame to comply if the water supplier provides written documentation that it was

unable to repair or replace the malfunctioning equipment within 5 working days due to circumstances beyond its control.

(E) Shall continuously monitor and record the residual disinfectant concentration required under § 109.202(c)(1)(iii) of the water being supplied to the distribution system and record the lowest value for each day. If a public water system's continuous monitoring or recording equipment fails, the public water supplier may, upon notification of the Department under § 109.701(a)(3), substitute grab sampling or manual recording, or both, every 4 hours in lieu of continuous monitoring. Grab sampling or manual recording may not be substituted for continuous monitoring for longer than 5 days after the equipment fails.

(F) Until April 28, 2019, shall measure the residual disinfectant concentration at representative points in the distribution system no less frequently than the frequency required for total coliform sampling for compliance with the MCL for microbiological contaminants.

(G) Beginning April 29, 2019, shall measure and record the residual disinfectant concentration at representative points in the distribution system in accordance with a sample siting plan as specified in § 109.701(a)(8) and as follows:

(I) A public water supplier shall monitor the residual disinfectant concentration at the same time and from the same location that a total coliform sample is collected as specified in paragraph (3)(i) and (ii). Measurements taken under this subclause may be used to meet the requirements under subclause (II).

(II) A public water supplier shall monitor the residual disinfectant concentration at representative locations in the distribution system at least once per week.

(III) A public water supplier that does not maintain the minimum residual disinfectant concentration specified in § 109.710 at one or more sample sites shall include those sample sites in the monitoring conducted the following month.

(IV) Compliance with the minimum residual disinfectant concentration shall be determined in accordance with § 109.710.

(V) A public water system may substitute online residual disinfectant concentration monitoring and recording for grab sample monitoring and manual recording if it validates the online measurement for accuracy in accordance with § 109.304.

(ii) Until August 19, 2019, for a public water supplier serving 3,300 or fewer people, the Department may reduce the residual disinfectant concentration monitoring for the water being supplied to the distribution system to a minimum of 2 hours between samples at the grab sampling frequencies prescribed as follows if the historical performance and operation of the system indicate the system can meet the residual disinfectant concentration at all times:

<i>System Size (People)</i>	<i>Samples / Week</i>
<500	1
500—1,000	2
1,001—2,500	3
2,501—3,300	4

If the Department reduces the monitoring, the supplier shall nevertheless collect and analyze another residual disinfectant measurement as soon as possible, but no

longer than 4 hours from any measurement which is less than the residual disinfectant concentration approved under § 109.202(c)(1)(iii).

(iii) Until August 19, 2019, for a public water supplier serving fewer than 500 people, the Department may reduce the source water turbidity monitoring to one grab sample per day, if the historical performance and operation of the system indicate effective disinfection is maintained under the range of conditions expected to occur in the system's source water.

(Editor's Note: The bracketed text as follows to be deleted is duplicated due to a previous printing error. The text of these serial pages can be found at (393259) and (391315) to (391317).)

[(iv) A public water supplier providing conventional filtration treatment or direct filtration and serving 10,000 or more people and using surface water or GUDI sources shall, beginning January 1, 2002, conduct continuous monitoring of turbidity for each individual filter using an approved method under the EPA regulation in 40 CFR 141.74(a) (relating to analytical and monitoring requirements) and record the results at least every 15 minutes. Beginning January 1, 2005, public water suppliers providing conventional or direct filtration and serving fewer than 10,000 people and using surface water or GUDI sources shall conduct continuous monitoring of turbidity for each individual filter using an approved method under the EPA regulation in 40 CFR 141.74(a) and record the results at least every 15 minutes.

(A) The water supplier shall calibrate turbidimeters using the procedure specified by the manufacturer. At a minimum, calibration with an EPA-approved primary standard shall be conducted at least quarterly.

(B) If there is failure in the continuous turbidity monitoring or recording equipment, or both, the system shall conduct grab sampling or manual recording, or both, every 4 hours in lieu of continuous monitoring or recording.

(C) A public water supplier serving 10,000 or more persons has a maximum of 5 working days following the failure of the equipment to repair or replace the equipment before a violation is incurred.

(D) A public water supplier serving fewer than 10,000 persons has a maximum of 14 days following the failure of the equipment to repair or replace the equipment before a violation is incurred.

(v) A public water supplier shall calculate the log inactivation of *Giardia*, using measurement methods established by the EPA, at least once per day during expected peak hourly flow. The log inactivation for *Giardia* must also be calculated whenever the residual disinfectant concentration at the entry point falls below the minimum value specified in § 109.202(c) (relating to State MCLs, MRDLs and treatment technique requirements) and continue to be calculated every 4 hours until the residual disinfectant concentration at the entry point is at or above the minimum value specified in § 109.202(c). Records of log inactivation calculations must be reported to the Department in accordance with § 109.701(a)(2).

(vi) In addition to the requirements specified in subparagraph (v), a public water supplier that uses

a disinfectant other than chlorine to achieve log inactivation shall calculate the log inactivation of viruses at least once per day during expected peak hourly flow. The log inactivation for viruses shall also be calculated whenever the residual disinfectant concentration at the entry point falls below the minimum value specified in § 109.202(c) and continue to be calculated every 4 hours until the residual disinfectant concentration at the entry point is at or above the minimum value specified in § 109.202(c). Records of log inactivation calculations shall be reported to the Department in accordance with § 109.701(a).

(2) *Performance monitoring for unfiltered surface water and GUDI.* A public water supplier using unfiltered surface water or GUDI sources shall conduct the following source water and performance monitoring requirements on an interim basis until filtration is provided, unless increased monitoring is required by the Department under § 109.302:

(i) Except as provided under subparagraphs (ii) and (iii), a public water supplier:

(A) Shall perform *E. coli* or total coliform density determinations on samples of the source water immediately prior to disinfection. Regardless of source water turbidity, the minimum frequency of sampling for total coliform or *E. coli* determinations may be no less than the following:

System Size (People)	Samples/Week
<500	1
500—3,299	2
3,300—10,000	3
10,001—25,000	4
25,001 or more	5

(B) Shall measure the turbidity of a representative grab sample of the source water immediately prior to disinfection as follows until August 19, 2019:

(I) For systems that operate continuously, at least once every 4 hours that the system is in operation, except as provided in clause (C).

(II) For systems that do not operate continuously, at start-up, at least once every 4 hours that the system is in operation, and also prior to shutting down the plant, except as provided in clause (C).

(C) May substitute continuous turbidity monitoring for grab sample monitoring until August 19, 2019, if it validates the continuous measurement for accuracy on a regular basis using a procedure specified by the manufacturer. At a minimum, calibration with an EPA-approved primary standard shall be conducted at least quarterly.

(D) Shall continuously monitor and record the turbidity of the source water immediately prior to disinfection beginning August 20, 2019, using an analytical method specified in 40 CFR 141.74(a) and record the results at least every 15 minutes while the source is operating. If there is a failure in the continuous turbidity monitoring or recording equipment, or both, the supplier shall conduct grab sampling or manual recording, or both, every 4 hours in lieu of continuous monitoring or record-

ing. The public water supplier shall notify the Department within 24 hours of the equipment failure. Grab sampling or manual recording may not be substituted for continuous monitoring for longer than 5 working days after the equipment fails. The Department will consider case-by-case extensions of the time frame to comply if the water supplier provides written documentation that it was unable to repair or replace the malfunctioning equipment within 5 working days due to circumstances beyond its control.

(E) Shall continuously monitor and record the residual disinfectant concentration required under § 109.202(c)(1)(iii) of the water being supplied to the distribution system and record the lowest value for each day. If a public water system's continuous monitoring or recording equipment fails, the public water supplier may, upon notification of the Department under § 109.701(a)(3), substitute grab sampling or manual recording, or both, every 4 hours in lieu of continuous monitoring. Grab sampling or manual recording may not be substituted for continuous monitoring for longer than 5 days after the equipment fails.

(F) Until April 28, 2019, shall measure the residual disinfectant concentration at representative points in the distribution system no less frequently than the frequency required for total coliform sampling for compliance with the MCL for microbiological contaminants.

(G) Beginning April 29, 2019, shall measure and record the residual disinfectant concentration at representative points in the distribution system in accordance with a sample siting plan as specified in § 109.701(a)(8) and as follows:

(I) A public water supplier shall monitor the residual disinfectant concentration at the same time and from the same location that a total coliform sample is collected as specified in paragraph (3)(i) and (ii). Measurements taken under this subclause may be used to meet the requirements under subclause (II).

(II) A public water supplier shall monitor the residual disinfectant concentration at representative locations in the distribution system at least once per week.

(III) A public water supplier that does not maintain the minimum residual disinfectant concentration specified in § 109.710 at one or more sample sites shall include those sample sites in the monitoring conducted the following month.

(IV) Compliance with the minimum residual disinfectant concentration shall be determined in accordance with § 109.710.

(V) A public water system may substitute online residual disinfectant concentration monitoring and recording for grab sample monitoring and manual recording if it validates the online measurement for accuracy in accordance with § 109.304.

(ii) Until August 19, 2019, for a public water supplier serving 3,300 or fewer people, the Department may reduce the residual disinfectant concentration monitoring for the water being supplied to the distribution system to a minimum of 2 hours between samples at the grab sampling frequencies prescribed as follows if the historical performance

and operation of the system indicate the system can meet the residual disinfectant concentration at all times:

<i>System Size (People)</i>	<i>Samples/Week</i>
<500	1
500—1,000	2
1,001—2,500	3
2,501—3,300	4

If the Department reduces the monitoring, the supplier shall nevertheless collect and analyze another residual disinfectant measurement as soon as possible, but no longer than 4 hours from any measurement which is less than the residual disinfectant concentration approved under § 109.202(c)(1)(iii).

(iii) Until August 19, 2019, for a public water supplier serving fewer than 500 people, the Department may reduce the source water turbidity monitoring to one grab sample per day, if the historical performance and operation of the system indicate effective disinfection is maintained under the range of conditions expected to occur in the system's source water.]

(3) *Monitoring requirements for coliforms.* Public water systems shall determine the presence or absence of total coliforms for each routine or check sample; and, the presence or absence of *E. coli* for a total coliform positive sample in accordance with analytical techniques approved by the Department under § 109.304 (relating to analytical requirements). A system may forego *E. coli* testing on a total coliform-positive sample if the system assumes that any total coliform-positive sample is also *E. coli*-positive. A system which chooses to forego *E. coli* testing shall, under § 109.701(a)(3), notify the Department within 1 hour after the water system learns of the violation or the situation, and shall provide public notice in accordance with § 109.408 (relating to Tier 1 public notice—categories, timing and delivery of notice) if there is a violation of the *E. coli* MCL as set forth in subparagraph (iv).

* * * * *

(6) *Monitoring requirements for SOCs (pesticides and PCBs).* Community water systems and nontransient noncommunity water systems shall monitor for compliance with the MCLs for SOCs established by the EPA under 40 CFR 141.61(c). The monitoring shall be conducted according to the requirements established by the EPA under 40 CFR 141.24(h), incorporated herein by reference except as modified by this chapter.

* * * * *

(vii) *Waivers.* A waiver will be granted to a public water supplier from conducting the initial compliance monitoring or repeat monitoring, or both, for an SOC based on documentation provided by the public water supplier and a determination by the Department that the criteria in clause (B), (C) or (D) has been met. A waiver is effective for one compliance period and may be renewed in each subsequent compliance period. If the Department has not granted a use waiver in accordance with clause (B), the public water supplier is responsible for submitting a waiver application and renewal application to the Department for review in accordance with clause (B), (C) or (D) for specific entry points. Waiver applications will be evaluated relative to the vulnerability assessment area described in clause (A) and the criteria in clause (B), (C) or (D). Entry points at which treatment has been in-

stalled to remove an SOC are not eligible for a monitoring waiver for the SOCs for which treatment has been installed.

(A) *Vulnerability assessment area for SOCs including dioxin and PCBs.*

(I) For groundwater or GUDI entry points, the vulnerability assessment area shall consist of wellhead protection area Zones I and II as defined under § 109.1 (relating to definitions).

(II) For surface water entry points, the vulnerability assessment area shall consist of [**the area that supplies water to the entry point and is separated from other watersheds by the highest topographic contour**] surface water intake protection area Zones A and B as defined under § 109.1.

(B) *Use waivers.* A use waiver will be granted by the Department for contaminants which the Department has determined have not been used, stored, manufactured, transported or disposed of in this Commonwealth, or portions of this Commonwealth. A use waiver specific to a particular entry point requires that an SOC was not used, stored, manufactured, transported or disposed of in the vulnerability assessment area. If use waiver criteria cannot be met, a public water supplier may apply for a susceptibility waiver.

* * * * *

(8) *Monitoring requirements for public water systems that obtain finished water from another public water system.*

* * * * *

(iii) Consecutive water suppliers may be exempt from conducting monitoring for the MCLs for [**VOCs, SOCs and IOCs and radionuclides**] VOCs, SOCs, IOCs, radionuclides and PFAS if the public water system from which the finished water is obtained complies with paragraphs [(5)—(7) and (14)] (5)—(7), (14) and (16) and is in compliance with the MCLs, except that asbestos monitoring is required in accordance with subparagraph (ii).

* * * * *

(9) *Monitoring requirements for POE devices.* A public water supplier using a POE device shall, in addition to the monitoring requirements specified in paragraphs (1)—(8), (10)—(16) and Subchapter K (relating to lead and copper), conduct monitoring on the devices installed. As a minimum, the monitoring shall include the MCLs for which the POE device is intended to treat and monthly microbiological monitoring. The Department may allow the water supplier to reduce the frequency of microbiological monitoring based upon historical performance. Except for microbiological contaminants, monitoring shall be performed quarterly on 25% of the installed POE devices with the locations rotated so that each device is monitored at least once annually, unless increased monitoring is required by the Department under § 109.302.

* * * * *

(11) *Monitoring requirements for entry points that do not provide water continuously.* Entry points from which water is not provided during every quarter of the year shall monitor in accordance with paragraphs [(5)—(7) and (14)] (5)—(7), (14) and (16), except that monitoring is not required during a quarter when water is not

provided to the public, unless special monitoring is required by the Department under § 109.302.

* * * * *

(15) *Monitoring requirements for reserve entry points and entry points supplied by one or more reserve sources.* Beginning August 20, 2019, a water supplier using reserve sources or reserve entry points as defined and identified in the comprehensive monitoring plan in § 109.718(a) (relating to comprehensive monitoring plan) shall:

(i) Monitor reserve entry points at the initial frequencies specified in paragraphs [(5)—(7) and (14)] (5)—(7), (14) and (16).

(ii) Monitor permanent entry points at the initial frequencies specified in paragraphs [(5)—(7) and (14)] (5)—(7), (14) and (16) while the entry point is receiving water from a reserve source.

(iii) Conduct special monitoring as required by the Department under § 109.302.

(16) Monitoring requirements for PFAS. Community water systems and nontransient noncommunity water systems shall monitor for compliance with the MCLs for PFAS established under § 109.202(a).

(i) Initial monitoring. Initial monitoring shall consist of 4 consecutive quarterly samples at each entry point in accordance with the following monitoring schedule:

(A) Systems serving more than 350 persons shall begin monitoring for the PFAS listed in § 109.202(a)(4)(ii)(A) and (B) during the quarter beginning January 1, 2024.

(B) Systems serving 350 or fewer persons shall begin monitoring for the PFAS listed in § 109.202(a)(4)(ii)(A) and (B) during the quarter beginning January 1, 2025.

(C) Systems that add new sources to new or existing entry points on or after the applicable dates in clauses (A) and (B), shall conduct initial monitoring according to this clause. An entry point with one or more new sources shall be monitored for 4 consecutive quarters, beginning the first full quarter the entry point begins serving the public.

(ii) Repeat monitoring for entry points at which at least one of the PFAS with an MCL is detected. For entry points at which at least one of the PFAS with an MCL established under § 109.202(a) is detected at a level equal to or greater than its corresponding MRL as defined in § 109.304(f), then:

(A) Monitoring for compliance with the MCLs for PFAS established under § 109.202(a) shall be repeated quarterly, beginning the quarter following the detection, until reduced monitoring is granted in accordance with this subparagraph.

(B) The Department may decrease the quarterly monitoring requirement specified in clause (A) if it has determined that monitoring results are reliably and consistently below all MCLs for PFAS established under § 109.202(a). The Department will not make this determination until the water system obtains results from a minimum of four consecutive quarterly samples that are reliably and consistently below all PFAS MCLs.

(C) If the Department determines that monitoring results are reliably and consistently below all PFAS MCLs, the Department may allow the system to monitor annually. Systems which monitor annually shall monitor for compliance with the MCLs for PFAS established under § 109.202(a) during the quarter that previously yielded the highest analytical result, or as specified by the Department.

(iii) *Repeat monitoring at entry points at which none of the PFAS are detected.* For entry points at which none of the PFAS with an MCL established under § 109.202(a) are detected during initial monitoring in accordance with subparagraph (i), required monitoring is reduced to one sample per entry point during each subsequent compliance period. This reduced monitoring shall be conducted in the same year as reduced monitoring granted for VOCs under paragraph (5)(iv)(B) and SOCs under paragraph (6)(iii) as specified by the Department.

(iv) *Repeat monitoring for entry points at which at least one of the PFAS exceeds an MCL.* For entry points at which a result for at least one of the PFAS exceeds an MCL established under § 109.202(a), monitoring for compliance with the MCLs for PFAS established under § 109.202(a) shall be conducted quarterly, beginning the quarter following the exceedance. Quarterly monitoring shall continue until a minimum of four consecutive quarterly samples shows the system is in compliance as specified in subparagraph (ix) and the Department determines the system is reliably and consistently below all PFAS MCLs. If the Department determines that the system is in compliance and is reliably and consistently below all PFAS MCLs, the Department may allow the system to monitor in accordance with subparagraph (ii)(C).

(v) *Confirmation samples.* A confirmation sample shall be collected and analyzed for each of the PFAS detected in exceedance of its MCL during annual or less frequent compliance monitoring. The confirmation sample shall be collected within 2 weeks of notification from the accredited laboratory performing the analysis that an MCL has been exceeded.

(vi) *Repeat and performance monitoring for entry points with PFAS removal treatment.* The reduced monitoring option in subparagraph (iii) does not apply to entry points at which treatment has been installed for removal of at least one of the PFAS with an MCL established under § 109.202(a). Compliance monitoring shall be conducted at least annually at entry points with PFAS treatment. Performance monitoring shall be conducted quarterly for the specific PFAS for which treatment is provided.

(vii) *Waivers.* Systems conducting monitoring under subparagraph (ii) at groundwater or GUDI entry points may apply for a use waiver for those entry points which have 3 consecutive years of quarterly or annual samples with no detection of any of the PFAS with an MCL established under § 109.202(a). A use waiver from conducting monitoring under subparagraph (ii)(C) may be granted to a public water supplier with groundwater or GUDI entry points based on documentation provided by the public water supplier and a determination by the Department that the requirements in clauses (A) and (B) have been met. Entry points at which treatment has been installed to remove one or more

of the PFAS with MCLs established under § 109.202(a) are not eligible for a waiver.

(A) A use waiver may be granted for a specific entry point after evaluating knowledge of previous use, including storage, manufacturing, transport or disposal of one or more PFAS within the wellhead protection area Zones I and II as defined under § 109.1. If a determination by the Department reveals no previous use, a waiver may be granted for the entry point.

(B) Waiver requests and renewals shall be submitted to the Department, on forms provided by the Department, for review and approval prior to the end of the applicable monitoring period. Until the waiver request or renewal is approved, the public water system is responsible for conducting all required monitoring.

(C) If a use waiver is granted by the Department, required monitoring at that entry point is reduced to one sample during the subsequent compliance period. This monitoring shall be conducted during the quarter that previously yielded the highest analytical result, or as specified by the Department, and in the same years as any reduced monitoring granted for VOCs under paragraph (5)(iv)(B) and SOCs under paragraph (6)(iii) as specified by the Department.

(D) A waiver is effective for one compliance period and may be renewed in each subsequent compliance period.

(viii) *Invalidation of PFAS samples.*

(A) The Department may invalidate results of obvious sampling errors.

(B) A sample invalidated under this subparagraph does not count towards meeting the minimum monitoring requirements of this paragraph.

(ix) *Compliance determinations.* Compliance with the PFAS MCLs shall be determined based on the analytical results obtained at each entry point. If one entry point is in violation of an MCL, the system is in violation of the MCL.

(A) For systems monitoring more than once per year, compliance with the MCL is determined by a running annual average of all samples taken at each entry point.

(B) If monitoring is conducted annually or less frequently, the system is out of compliance if the level of a contaminant at any entry point is greater than the MCL. If a confirmation sample is collected as specified in subparagraph (v), compliance is determined using the average of the two sample results.

(C) If any sample result will cause the running annual average to exceed the MCL at any entry point, the system is out of compliance with the MCL immediately.

(D) If a system fails to collect the required number of samples, compliance with the MCL will be based on the total number of samples collected.

(E) If a sample result is less than the MRL, zero will be used to calculate compliance.

§ 109.303. Sampling requirements.

(a) The samples taken to determine a public water system's compliance with MCLs, MRDLs or treatment technique requirements or to determine compliance with monitoring requirements shall be taken at the locations identified in §§ 109.301, 109.302, 109.1003, 109.1103, 109.1202 and 109.1303 and as follows:

* * * * *

(4) Samples for determining compliance with MCLs for organic contaminants listed by the EPA under 40 CFR 141.61 (relating to maximum contaminant levels for organic contaminants), inorganic contaminants listed by the EPA under 40 CFR 141.62 (relating to maximum contaminant levels (MCLs) for inorganic contaminants), radionuclide contaminants listed by the EPA under 40 CFR 141.66 (relating to maximum contaminant levels for radionuclides) [**and with the special monitoring requirements for unregulated contaminants under § 109.302(f) (relating to special monitoring requirements)**] shall be taken at each entry point to the distribution system which is representative of each source after an application of treatment during periods of normal operating conditions. If a system draws water from more than one source and the sources are combined prior to distribution, the system shall sample at the entry point during periods of normal operating conditions when water is representative of all sources being used.

(5) Asbestos sampling points shall be at the distribution tap where asbestos contamination is expected to be the greatest based on the presence of asbestos cement pipe and lack of optimum corrosion control treatment, and at the entry point for each source which the Department has reason to believe may contain asbestos, except that a collected distribution sample which is representative of a source may be substituted for a required entry point sample.

(6) Samples for determining compliance with MCLs for PFAS contaminants listed in § 109.202(a)(4) shall be taken as follows:

(i) Samples shall be collected at each entry point to the distribution system which is representative of each source after an application of treatment during periods of normal operating conditions. If a system draws water from more than one source and the sources are combined prior to distribution, the system shall sample at the entry point during periods of normal operating conditions when water is representative of all sources being used.

(ii) Samples shall be collected by a person properly trained by a laboratory accredited by the Department to conduct PFAS analysis.

(b) The samples taken to determine a public water system's compliance with treatment technique and performance monitoring requirements shall be taken at a point that is as close as practicable to each treatment technique process and that is not influenced by subsequent treatment processes or appurtenances.

* * * * *

§ 109.304. Analytical requirements.

(a) Sampling and analysis shall be performed in accordance with analytical techniques adopted by the EPA under the Federal act or methods approved by the Department.

* * * * *

(e) A water supplier shall calibrate all turbidimeters used for compliance monitoring using the procedure specified by the manufacturer. At a minimum, calibration with an EPA-approved primary standard shall be conducted at least every 90 days. The Department may extend this 90-day calibration frequency if the calibration due date coincides with a holiday or weekend, or during a water system emergency which prevents timely calibration.

(f) For the purpose of determining compliance with the PFAS MCLs established in § 109.202(a)(4) (relating to State MCLs, MRDLs and treatment technique requirements), sampling and analysis for PFAS shall be conducted as follows:

(1) Sampling and analysis shall be according to the following approved methods and MRLs:

<i>Contaminant</i>	<i>Methods</i>	<i>MRL (ng/L)</i>
<u>(i) PFOA</u>	<u>EPA 533, EPA 537.1, EPA 537 Version 1.1</u>	<u>5</u>
<u>(ii) PFOS</u>	<u>EPA 533, EPA 537.1, EPA 537 Version 1.1</u>	<u>5</u>

(2) Analysis shall be conducted by a laboratory accredited by the Department.

(3) Accredited laboratories must determine the MDL for each analyte, according to the procedure in Appendix B, Revision 2 to 40 CFR Part 136 (relating to definition and procedure for the determination of the method detection limit) or as specified in the method.

(4) Accredited laboratories must analyze Performance Evaluation Samples provided by a third party at least once per year by each method for which the laboratory maintains certification. Results of Performance Evaluation Samples must be within ±30% of the true value.

(5) The MRL must be contained within the range of calibration.

Subchapter D. PUBLIC NOTIFICATION

§ 109.411. Content of a public notice.

(a) *Elements of a public notice.* When a public water system is required to give public notice under this subchapter, each public notice must include the following elements:

* * * * *

(e) *Standard language for a public notice.* Public water systems shall include the following standard language in their public notice:

(1) *Standard health effects language for primary MCL or MRDL violations, treatment technique violations, and violations of the condition of a variance or exemption.* Public water systems shall include in each public notice appropriate health effects language. This subchapter incorporates by reference the health effects language specified in 40 CFR Part 141, Subpart Q, Appendix B (relating to standard health effects language for public notification), corresponding to each primary MCL, MRDL and treatment technique violation listed in 40 CFR Part 141, Subpart Q, Appendix A (relating to NPDWR violations and other situations requiring public notice), and for each violation of a condition of a variance or exemption, unless other health effects language is established by regulations or order of the Department. [**The health effects lan-**

guage for fluoride is not incorporated by reference. Public water systems shall include the following health effects language in each Tier 2 public notice for violation of the primary MCL of 2 mg/L for fluoride:]

(i) The health effects language for fluoride is not incorporated by reference. Public water systems shall include the following health effects language in each Tier 2 public notice for violation of the primary MCL of 2 mg/L for fluoride:

“This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/L) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). Dental fluorosis, in its moderate or severe forms, may result in a brown staining and or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Drinking water containing more than 4 mg/L of fluoride (the U.S. Environmental Protection Agency’s drinking water standard) can increase your risk of developing bone disease.”

(ii) Public water systems shall include the following health effects language in each Tier 2 public notice for violation of the primary MCL for PFOA:

“Drinking water containing PFOA in excess of the MCL of 14 ng/L may cause adverse health effects, including developmental effects (neurobehavioral and skeletal effects).”

(iii) Public water systems shall include the following health effects language in each Tier 2 public notice for violation of the primary MCL for PFOS:

“Drinking water containing PFOS in excess of the MCL of 18 ng/L may cause adverse health effects, including decreased immune response.”

(2) *Standard language for violations of monitoring requirements.* Public water systems shall include the following language in their notice, including the language necessary to fill in the blanks, for all violations of monitoring requirements listed in 40 CFR Part 141, Subpart Q, Appendix A:

* * * * *

§ 109.416. CCR requirements.

This section applies only to community water systems and establishes the minimum requirements for the content of the annual CCR that each system shall deliver to its customers. This report must contain information on the quality of the water delivered by the system and characterize the risks, if any, from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

* * * * *

(3) Except as noted in subparagraphs (i)—(v), the annual report that a community water system provides to its customers shall contain all of the information, mandatory language and optional text specified by the EPA under 40 CFR 141.153 and 141.154 (relating to content of the reports; and required additional health information), which are incorporated by reference, and under 40 CFR 141, Subpart O, Appendix A (relating to regulated contaminants), which is incorporated by reference, unless other information, mandatory language or optional text is established by regulations or order of the Department. The health effects language for fluoride is not incorporated by reference. Public water systems shall include the

health effects language specified in § [109.411(d)(1)] **109.411(e)(1)(i)** (relating to content of a public notice) for violation of the primary MCL of 2 mg/L fluoride.

(i) If a water system wants to use wording of its own choice in place of optional text, the water supplier shall submit the proposed wording to the Department for review and written approval prior to including it in its annual CCR. Once approved, the water supplier’s wording may be used in future CCRs without further approval from the Department as long as it is not changed and is still applicable.

(ii) The CCR shall contain information in Spanish regarding the importance of the report or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the report or to request assistance.

(iii) For each non-English-speaking group other than Spanish-speaking that exceeds 10% of the residents for systems serving at least 1,000 people or 100 residents for systems serving less than 1,000 people, and speaks the same language other than English, the report shall contain information in the appropriate languages regarding the importance of the report or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the report or to request assistance in the appropriate language. The Department will make the final determination of which systems need to include this information.

(iv) For the purpose of defining how certain portions of a CCR shall appear, the term “prominently display” as used in 40 CFR 141.154(a) means that the information shall be printed either in a larger size typeface or bolded or enclosed within a border or all these so as to make the information conspicuous in comparison to the rest of the text appearing before and after the prominently displayed text. Prominently displayed text placed away from other text (such as, in a highlighted or boxed area) shall be printed no smaller than the text used elsewhere in the body of the report, excluding main or section titles.

(v) Information contained in a CCR shall appear in an easy-to-read format. Font sizes below 10 points or color combinations, or both, that make it difficult for persons to read and understand the information contained in the CCR may not be used.

(3.1) Public water suppliers required to conduct monitoring for PFAS under § 109.301(16) (relating to monitoring requirements) shall also include at a minimum the following information:

(i) Information on results detected.

(A) MCL in ng/L.

(B) MCLG in ng/L.

(C) Highest level detected in ng/L.

(D) Range of detections in ng/L.

(E) Sample dates.

(F) Whether a violation occurred.

(G) Sources of contamination. The likely sources of detected contaminants to the best of the public water supplier’s knowledge. Specific information regarding contaminants may be available in sanitary surveys or source water assessments and should be used when available. If the public water supplier lacks specific information on the likely source or sources of the contaminant or contaminants, the following statement shall be used:

“Discharge from manufacturing facilities and runoff from land use activities.”

(ii) Health effects language. Public water systems shall include the health effects language specified in § 109.411(e)(1)(ii) and (iii) for violation of a primary MCL for PFAS specified in § 109.202(a) (relating to State MCLs, MRDLs and treatment technique requirements).

(4) Each community water system shall do the following:

(i) Mail or otherwise directly deliver to each customer one copy of the annual CCR no later than the date specified in paragraph (2).

(ii) Mail a paper copy of the annual CCR to the Department no later than the date the water system is required to distribute the CCR to its customers.

* * * * *

Subchapter E. PERMIT REQUIREMENTS

§ 109.503. Public water system construction permits.

(a) *Permit application requirements.* An application for a public water system construction permit shall be submitted in writing on forms provided by the Department and shall be accompanied by plans, specifications, engineer’s report, water quality analyses and other data, information or documentation reasonably necessary to enable the Department to determine compliance with the act and this chapter. The Department will make available to the applicant the Public Water Supply Manual, available from the Bureau of Safe Drinking Water, Post Office Box 8467, Harrisburg, Pennsylvania 17105 which contains acceptable design standards and technical guidance. Water quality analyses shall be conducted by a laboratory accredited under this chapter.

(1) *General requirements.* An application must include:

* * * * *

(iii) *Information describing new sources.* Information describing new sources must include the items specified in clauses (A)—(F). The information specified in clauses (C) and (D) may not be more than 2 years old from the date the permit application is submitted unless the Department approves the use of data more than 2 years old. The Department may accept approval of an out-of-State source by the agency having jurisdiction over drinking water in that state if the supplier submits adequate proof of the approval and the agency’s standards are at least as stringent as this chapter:

* * * * *

(D) An evaluation of the quality of the raw water from each new source. For groundwater sources, the evaluation shall be conducted at the conclusion of the constant rate aquifer test. This clause does not apply when the new source is finished water obtained from an existing permitted community water system unless the Department provides written notice that an evaluation is required. The evaluation must include analysis of all of the following:

* * * * *

(XIV) For groundwater sources, the monitoring specified in § 109.302(f) (relating to special monitoring requirements) if the Department determines that the source is susceptible to surface water influence.

(XIV.1) PFAS for which MCLs have been established under § 109.202(a) (relating to State MCLs, MRDLs and treatment technique requirements).

(XV) Other contaminants that the Department determines necessary to evaluate the potability of the source.

* * * * *

Subchapter F. DESIGN AND CONSTRUCTION STANDARDS

§ 109.602. Acceptable design.

(a) A public water system shall be designed to provide an adequate and reliable quantity and quality of water to the public. The design must ensure that the system will, upon completion, be capable of providing water that complies with the primary and secondary MCLs, MRDLs and treatment techniques established in Subchapters B, K, L and M except as further provided in this section.

* * * * *

(i) Alarm and shutdown capabilities must conform to all of the following:

* * * * *

(3) Be capable of notifying the available operator on duty of events triggering an alarm or plant shutdown.

(j) PFAS.

(1) The Department identifies the following treatment technologies as acceptable for achieving compliance with the MCLs for PFAS, established under § 109.202(a) (relating to State MCLs, MRDLs and treatment technique requirements):

(i) GAC.

(ii) Ion exchange.

(iii) Reverse Osmosis.

(2) Other treatment technologies may be approved by the Department if the applicant demonstrates the alternate technology is capable of providing an adequate and reliable quantity and quality of water to the public.

Subchapter G. SYSTEM MANAGEMENT RESPONSIBILITIES

§ 109.701. Reporting and recordkeeping.

(a) *Reporting requirements for public water systems.* Public water systems shall comply with the following requirements:

* * * * *

(3) *One-hour reporting requirements.* A public water supplier shall report the circumstances to the Department within 1 hour of discovery for the following violations or situations:

(i) A primary MCL or an MRDL has been exceeded or a treatment technique requirement has been violated under Subchapter B, K, L or M.

(ii) A sample result requires the collection of check **or confirmation** samples under § 109.301.

(iii) Circumstances exist which may adversely affect the quality or quantity of drinking water including, but not limited to:

* * * * *

Subchapter J. BOTTLED WATER AND VENDED WATER SYSTEMS, RETAIL WATER FACILITIES AND BULK WATER HAULING SYSTEMS

§ 109.1003. Monitoring requirements.

(a) *General monitoring requirements.* Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall monitor for compliance with

the MCLs, MRDLs and treatment techniques as follows, except that systems which have installed treatment to comply with a primary MCL shall conduct quarterly operational monitoring for the contaminant which the treatment is designed to remove:

(1) Bottled water systems, retail water facilities and bulk water hauling systems, for each entry point shall:

* * * * *

(xiv) Beginning April 28, 2018, a system that uses or obtains finished water from another permitted public water system using surface water or GUDI sources shall comply with the following requirements:

* * * * *

(C) When the requirements of clause (A) or (B) cannot be achieved, the supplier shall initiate an investigation under the Department's direction to determine the cause, potential health risks and appropriate remedial measures.

(xv) Beginning January 1, 2024, monitor for compliance with the MCLs for PFAS established under § 109.202(a).

(A) *Monitoring exemption.* Systems that obtain finished water from another permitted public water system are exempt from conducting monitoring for PFAS if the public water system supplying the finished water performs the required monitoring at least annually and a copy of the analytical reports are received by the Department.

(B) *Initial monitoring.* Initial monitoring shall consist of 4 consecutive quarterly samples at each entry point. Systems that add new sources to new or existing entry points on or after January 1, 2024 shall conduct initial monitoring according to this clause. An entry point with one or more new sources shall be monitored for 4 consecutive quarters, beginning the first full quarter the entry point begins serving the public.

(C) *Repeat monitoring.* Repeat monitoring for entry points shall be conducted as follows:

(I) For an entry point at which at least one of the PFAS with an MCL established under § 109.202(a) is detected during initial monitoring or where one or more PFAS is detected anytime at a level in excess of its MCL, compliance monitoring shall be repeated quarterly for the PFAS for which an MCL has been established under § 109.202(a). After analyses of four consecutive quarterly samples at an entry point, including initial quarterly monitoring samples, demonstrate that the PFAS levels in each quarterly sample are less than the MCLs, the required compliance monitoring is reduced to one sample per year at that entry point for all PFAS for which an MCL has been established under § 109.202(a).

(II) For a groundwater or surface water entry point at which no PFAS for which an MCL has been established under § 109.202(a) are detected during the initial and subsequent repeat monitoring, repeat monitoring shall be one sample per year from that entry point.

(D) *Confirmation samples.* A confirmation sample shall be collected and analyzed for each of the PFAS detected in exceedance of its MCL during annual monitoring. The confirmation sample shall

be collected within 2 weeks of notification from the accredited laboratory performing the analysis of the MCL exceedance.

(E) *Repeat and performance monitoring for entry points with PFAS removal treatment.* Compliance monitoring shall be conducted annually at entry points with PFAS treatment. Performance monitoring shall be conducted quarterly for the specific PFAS for which treatment is provided.

(F) *Invalidation of PFAS samples.*

(I) The Department may invalidate results of obvious sampling errors.

(II) A sample invalidated under this clause does not count towards meeting the minimum monitoring requirements of this subparagraph.

(G) *Compliance determinations.* Compliance with the PFAS MCLs shall be determined based on the analytical results obtained at each entry point. If one entry point is in violation of an MCL, the system is in violation of the MCL.

(I) For systems monitoring more than once per year, compliance with the MCL is determined by a running annual average of all samples taken at each entry point.

(II) If monitoring is conducted annually, the system is out of compliance if the level of a contaminant at any entry point is greater than the MCL. If a confirmation sample is collected as specified in clause (D), compliance is determined using the average of the two sample results.

(III) If any sample result will cause the running annual average to exceed the MCL at any entry point, the system is out of compliance with the MCL immediately.

(IV) If a system fails to collect the required number of samples, compliance with the MCL will be based on the total number of samples collected.

(V) If a sample result is less than the MRL, zero will be used to calculate compliance.

(2) Vended water systems shall monitor in accordance with paragraph (1) except that vended water systems qualifying for permit by rule under § 109.1005(b), for each entry point shall:

* * * * *

(b) *Sampling requirements.*

* * * * *

(3) Sampling and analysis shall be performed in accordance with analytical techniques adopted by the EPA under the Federal act or methods approved by the Department in accordance with § 109.304.

(4) Compliance monitoring samples for VOCs, as required under subsection (a)(1)(iii), shall be collected by a person properly trained by a laboratory certified by the Department to conduct VOC or vinyl chloride analysis.

* * * * *

(6) [Sampling and analysis shall be performed in accordance with analytical techniques adopted by the EPA under the Federal act or methods approved by the Department.] Compliance monitoring samples for PFAS, as required under subsection (a)(1)(xv), shall be collected by a person properly trained by a laboratory accredited by the Department to conduct PFAS analysis.

(c) Repeat monitoring for microbiological contaminants.

* * * * *

Subchapter N. DRINKING WATER FEES

§ 109.1403. Monitoring waiver fees.

(a) *New waivers.* An application for a new waiver from the monitoring requirements in §§ 109.301 and 109.302 (relating to general monitoring requirements; and special monitoring requirements) for a single source must be accompanied by a fee as follows:

<i>Waiver Type</i>	<i>New Waiver Fee</i>
VOC use waiver	\$100
SOC use waiver	\$100

<i>Waiver Type</i>	<i>New Waiver Fee</i>
SOC susceptibility waiver	\$300
IOC waiver	\$100
<u>PFAS use waiver</u>	<u>\$100</u>

(b) *Waiver renewals.* An application for a waiver renewal from the monitoring requirements in §§ 109.301 and 109.302 for a single source must be accompanied by the appropriate fee as follows:

* * * * *

[Pa.B. Doc. No. 22-313. Filed for public inspection February 25, 2022, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

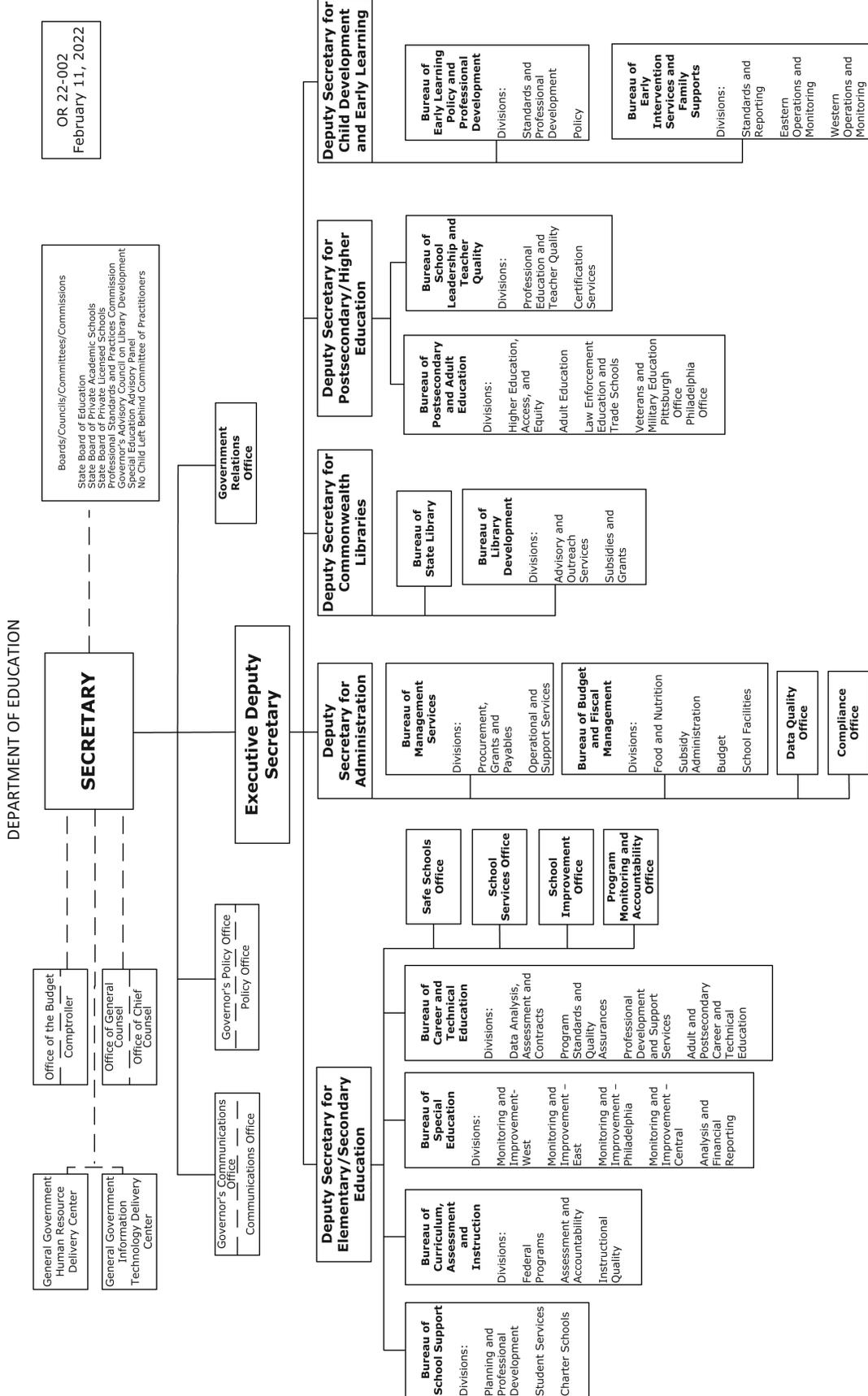
Reorganization of the Department of Education

The Executive Board approved a reorganization of the Department of Education effective February 11, 2022.

The organization chart at 52 Pa.B. 1277 (February 26, 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. 22-314. Filed for public inspection February 25, 2022, 9:00 a.m.]



NOTICES

DEPARTMENT OF AGRICULTURE

Federal Specialty Crop Block Grant Program; 2022 Program Guidelines

The Department of Agriculture (Department) announces a competitive solicitation process to award Specialty Crop Block Grant Program-Farm Bill funds for projects that enhance the competitiveness of this Commonwealth's specialty crops. Specialty crops are defined as fruits, vegetables, tree nuts, dried fruits, horticulture and nursery crops, including floriculture. (For a full list of commonly considered specialty crops, see <https://www.ams.usda.gov/?acct=fvgrntprg&leftNav=CommodityAreas&navID=DefinitionofSpecialtyCrops&page=SCBGPProcedures&resultType=&rightNav1=DefinitionofSpecialtyCrops&template=TemplateN&topNav=>. Federal Specialty Crop Block Grant Program (Program)—The Specialty Crops Competitiveness Act of 2004 (Pub.L. No. 108-465, 118 Stat. 3882)).

1. Program objectives.

The purpose of the Program is to enhance the competitiveness of specialty crops by:

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

2. Eligible applicants and projects.

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

(b) Eligible projects.

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

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

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

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

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

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

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

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

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

(vii) Pest and disease control.

(viii) Sustainability.

3. Definitions.

The following words and terms have the following meanings:

Department—The Department of Agriculture of the Commonwealth.

Eligible specialty crop—Fruits, vegetables, tree nuts, dried fruits and nursery crops (including floriculture). The complete listing can be viewed at <https://www.ams.usda.gov/sites/default/files/media/USDASpecialtyCropDefinition.pdf>.

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

General evaluation criteria—The evaluation criteria established by the Department and utilized for the Program.

Secretary—The Secretary of the Department.

4. Limitations on grants.

(a) *Project duration.* A project must have a start date of September 30, 2022, and a completion date of no later than September 29, 2025.

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

5. Funds-available basis.

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

6. Applications.

(a) *Full proposal required.* The Department will accept proposals for eligible projects as part of a two-phase competitive process. Eligible applicants must submit a full proposal for a project which describes how the grant would be used to enhance the competitiveness of the subject eligible specialty crop through market development, technology, innovation, food safety, nutrition knowledge, sustainable practices or management, or both.

(b) *Electronic applications only.* Interested applicants must submit a complete electronic full proposal using the Department of Community and Economic Development's Electronic Single Application web site, at <https://www.esa.dced.state.pa.us/login.aspx?var=5>.

(c) *Application window.* Completed full proposals may be electronically submitted beginning February 26, 2022. Full proposals must be received by no later than 5 p.m. on March 18, 2022.

7. Review of application.

The Secretary will review and evaluate the full proposal and supporting documentation and will consider the following factors, which are consistent with the general

evaluation criteria of the Program, in deciding whether to approve or reject the full proposal:

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

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

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

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

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

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

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

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

8. *Notice of disposition of application.*

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

Department will evaluate all final proposals by applying the evaluation factors presented in section 7.

9. *Grant agreement.*

After the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant will execute a written or electronic Grant Agreement which describes the terms and conditions subject to which the grant is made. The Grant Agreement shall contain and conform to the requirements of this notice and shall also contain special terms and conditions as required by the Secretary.

10. *Verification of project completion.*

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

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

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

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

11. *Questions and additional information.*

Questions on this Program, including on the online application process may be directed to Lauren Stackhouse, Bureau of Market Development, Department of Agriculture, 2301 North Cameron Street, Room 310, Harrisburg, PA 17110-9408, (717) 614-5730, lastackhou@pa.gov.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 22-315. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending February 15, 2022.

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

BANKING INSTITUTIONS**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
02-09-2022	Penn Community Bank Doylestown Bucks County	490 Forty Foot Road Lansdale Montgomery County	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. 22-316. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Industrialized Housing; Adoption of 2018 Codes

The Department of Community and Economic Development (Department), under section 5 of the Industrialized Housing Act (act) (35 P.S. § 1651.5), is authorized to promulgate rules and regulations to interpret and make specific provisions of the act to assure the health, safety and welfare of the people of this Commonwealth by requiring safe and sanitary industrialized housing. This includes provisions imposing requirements reasonably consistent with recognized and accepted model codes to provide parity with conventional housing constructed under the Pennsylvania Construction Code Act (35 P.S. §§ 7210.101—7210.1103).

In accordance with 12 Pa. Code § 145.41 (relating to adoption of standards), the Department will adopt the following codes as approved by the Pennsylvania Uniform Construction Code Review and Advisory Council Final Report dated April 29, 2021, and published at 52 Pa.B. 971 (February 12, 2022) by the Department of Labor and Industry.

See Final Report at <https://www.dli.pa.gov/ucc/Documents/ICC-Code-Review-2018-Final-Report.pdf>.

The 2018 International Building Code (with modifications)

The 2018 International Energy Conservation Code (with modifications)

The 2018 International Fire Code (without modification)

The 2018 International Fuel Gas Code (without modification)

The 2018 International Mechanical Code (without modification)

The 2018 International Plumbing Code (without modification)

The 2018 International Residential Code (with modifications)/2017 National Electrical Code

The act of April 25, 2011 (P.L. 1, No. 1) remains unchanged and automatic fire sprinklers are not required in one-family and two-family dwellings.

Section 145.42 of 12 Pa. Code (relating to alternate standards) remains unchanged.

Effective Date

New industrialized housing entering the first stage of production on Monday, August 15, 2022, must be designed, constructed and certified to the applicable 2018 codes and 2017 National Electrical Code.

Industrialized housing constructed to the previous codes, certified with the PA Insignia of Certification, and not yet sold, remain exempt under the Pennsylvania Uniform Construction Code.

For questions, contact Michael Moglia, Director, Housing Standards Division, Office of Community Enhancement, Department of Community and Economic Development, Commonwealth Keystone Building, 4th Floor, 400 North Street, Harrisburg, PA 17120, (717) 720-7416, mmoglia@pa.gov.

NEIL WEAVER,
Acting Secretary

[Pa.B. Doc. No. 22-317. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Availability of Funds

The Department of Education, Bureau of Postsecondary and Adult Education, Division of Adult Education announces the availability, on a competitive basis, of approximately \$15 million in grant funds to be awarded under sections 225 and 231 of the Workforce Innovation and Opportunity Act (29 U.S.C.A. §§ 3305 and 3321), combined with approximately \$7.4 million in grant funds to be awarded under the Pennsylvania Adult and Family Literacy Education Act (24 P.S. §§ 6401—6409) for adult basic education in this Commonwealth.

The purpose of this funding is to create a partnership among the Federal government, states and localities to provide, on a voluntary basis, adult education and literacy activities, to assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency; assist adults who are parents or family members in obtaining the education and skills that are necessary to becoming full partners in the educational development of their children, and lead to sustainable improvements in the economic opportunities

for their family; assist adults in attaining a secondary school diploma and transitioning to postsecondary education and training, including through career pathways; and assist immigrants and other individuals who are English language learners in improving their reading, writing, speaking and comprehension skills in English and their mathematics skills, and in acquiring an understanding of the American system of government, individual freedom and the responsibilities of citizenship.

Further details regarding this funding opportunity will be posted to the Division of Adult Education Grant Competitions webpage at <https://bit.ly/PAGrantCompetitions> as they become available.

NOE ORTEGA,
Secretary

[Pa.B. Doc. No. 22-318. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

<i>Section</i>	<i>Category</i>
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- | | |
|-----|--|
| 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>
6513814	Joint DEP/PFBC Pesticides Permit	Renewal	Rolling Rock Farms P.O. Box 717 Ligonier, PA 15658-0717	Ligonier Township Westmoreland County	SWRO
6519800	Joint DEP/PFBC Pesticides Permit	Renewal	Brookside Condo Assoc 3885 Brookside Lane Murrysville, PA 15668-1259	Murrysville Borough Westmoreland County	SWRO
6571417	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Kiski Valley Water Poll Control Authority 1361 School Road Leechburg, PA 15656-4904	Allegheny Township Westmoreland County	SWRO
PA0033405	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	West Newton DJVNW Sewickley LLC 812 18th Street Ambridge, PA 15003-1803	Sewickley Township Westmoreland County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1601405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Rimersburg Borough Municipal Authority Clarion County 27 Main Street Rimersburg, PA 16248-4333	Rimersburg Borough Clarion County	NWRO
NOEXSW202	No Exposure Certification	Transfer	Synthomer Jefferson Hills LLC P.O. Box 545 State Highway 837 West Elizabeth, PA 15088-0545	Jefferson Hills Borough Allegheny County	SWRO
PAR126105	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Bottling Group LLC 167 Allenbill Drive Johnstown, PA 15904-1937	Johnstown City Cambria County	SWRO
PAR802259	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	McLane PA 43 Valley View Business Park Jessup, PA 18434	Jessup Borough Lackawanna County	NERO
PA0287997	Single Residence STP Individual NPDES Permit	Transfer	Coyne Tara 904 E Fairfield Avenue New Castle, PA 16105-2318	Neshannock Township Lawrence County	NWRO
2022402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	David & John Nisley 11207 Carr Road Conneautville, PA 16406-3111	Summerhill Township Crawford County	NWRO
2522404	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Bohman Mark 9563 Fry Road McKean, PA 16426-1708	McKean Township Erie County	NWRO
3719403	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Coyne Tara 904 E Fairfield Avenue New Castle, PA 16105-2318	Neshannock Township Lawrence County	NWRO
6209401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Kristy & Russell Thomas 1895 Weiler Road Warren, PA 16365-8514	Conewango Township Warren County	NWRO
6215411	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Amy & Joseph Scarnati 978 Evergreen Street Brockway, PA 15824-2168	Sheffield Township Warren County	NWRO
3296401	Small Flow Treatment Facility Individual WQM Permit	Transfer	Seeds of Faith Christian Academy Inc. 181 Hudson Road Creekside, PA 15732-8218	Washington Township Indiana 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.

Northeast Regional Office

PA0033863 A-1, Sewage, SIC Code 7033, **Camp A While—Robert J. Schuster, Jr.**, 1921 East Main Street, Hegins, PA 17938-9143. Facility Name: Camp A While. This existing facility is located in Hegins Township, **Schuylkill County**.

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

The receiving stream(s), Pine Creek (CWF), is located in State Water Plan watershed 6-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.019 MGD—Interim Limits.
(From Permit Effective Date to One Year After Permit Effective Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.2	XXX	2.8

The proposed effluent limits for Outfall 001 are based on a design flow of .019 MGD.—Final Limits.
(From One Year After Permit Effective Date to Permit Expiration Date)

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.019 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	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 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.2	XXX	2.8
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	8.96	XXX	17.92
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg 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 570-826-5472.

The EPA Waiver is in effect.

PA0062448, Sewage, SIC Code 4952, **Anthony & Mary Alice Bonkowski**, 3955 Lincoln Street, Seaford, NY 11783-2115. Facility Name: Bonkowski Property. This existing facility is located in Dingman Township, **Pike 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 Raymondskill Creek (Niche Pond) (HQ-CWF, MF), is located in State Water Plan watershed 1-D and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

<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>	
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	1,000
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	Report Avg Mo	XXX	XXX

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0264032, Sewage, SIC Code 8800, **Mark Marshall**, 3813 Williams Road, Erie, PA 16510-6101. Facility Name: Mark Marshall SRSTP. This existing facility is located in Harborcreek Township, **Erie 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 Sixmile Creek (CWF, MF), is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

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

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

The EPA Waiver is in effect.

PA0290238, Sewage, SIC Code 8800, **Meredith & Shane Johnson**, 9735 Sherman Road, Albion, PA 16401-8705. Facility Name: Meredith & Shane Johnson SRSTP. This proposed facility is located in Springfield Township, **Erie County**.

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

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

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

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

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

The EPA Waiver is in effect.

PA0290289, Sewage, SIC Code 8800, **Jason Hawk**, 2307 Buxton Road, Titusville, PA 16354-7411. Facility Name: Jason Hawk SRSTP. This proposed facility is located in Cherrytree Township, **Venango 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), Cherrytree Run (CWF), is located in State Water Plan watershed 16-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

PA0290360, Sewage, SIC Code 4952, 8800, **Daniel Sorvelli**, 1185 Fox Hill Road, Russell, PA 16345. Facility Name: Daniel Sorvelli SRSTP. This proposed facility is located in Pine Grove Township, **Warren County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
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

PA0026654, Sewage, SIC Code 4952, **PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055-4436. Facility Name: New Cumberland Borough STP. This existing facility is located in New Cumberland Borough, **Cumberland County**.

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

The receiving stream(s), Susquehanna River (WWF), is located in State Water Plan watershed 7-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	260	417	XXX	25.0	40.0	50
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) Oct 1 - Apr 30	313	469	XXX	30.0	45.0	60
May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	XXX	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Total Mo	XXX	XXX	2.0	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	22,831 Total	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	3,044 Total	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report 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 717-705-4732.

The EPA Waiver is not in effect.

PA0029041, Sewage, SIC Code 7032, **Living Waters Camp and Conference Center**, 300 Camp Living Water Road, Schellsburg, PA 15559-8379. Facility Name: Living Waters Camp & Conference Cntr. This existing facility is located in Napier Township, **Bedford 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), Shawnee Branch (WWF), is located in State Water Plan watershed 11-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0078 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml) 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	Geo Mean Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0078 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>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	Annl Avg XXX	XXX	XXX
Total Nitrogen	Annl Avg	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Annl Avg	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Annl Avg	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.

PA0043257, Sewage, SIC Code 4952, **New Freedom Borough Authority, York County**, 49 E High Street, New Freedom, PA 17349-9665. Facility Name: New Freedom Borough STP. This existing facility is located in New Freedom Borough, **York County**.

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

The receiving stream(s), South Branch Codorus Creek (WWF), is located in State Water Plan watershed 7-H 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 2.25 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
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 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min XXX	0.20	XXX	0.66
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	469	751	XXX	25	40	50

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids	563	844	XXX	30	45	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	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	56	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	19	XXX	XXX	1.0	XXX	2
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	18.8	XXX	XXX	1.0	XXX	2
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Arsenic, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Copper, Total	0.22	0.45	XXX	0.012	0.024	XXX
		Daily Max				
Iron, Dissolved	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Iron, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Zinc, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Dichlorobromomethane (ug/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
			Daily Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.20	XXX	0.66
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	469	751	XXX	25	40	50
Total Suspended Solids	563	844	XXX	30	45	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
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	56	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	19	XXX	XXX	1.0	XXX	2

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	18.8	XXX	XXX	1.0	XXX	2
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Arsenic, Total	Report	Report	XXX	Report	Report	XXX
Copper, Total	0.22	Daily Max 0.45	XXX	0.012	Daily Max 0.024	XXX
Iron, Dissolved	Report	Report	XXX	Report	Report	XXX
Iron, Total	Report	Daily Max Report	XXX	Report	Daily Max Report	XXX
Zinc, Total	Report	Daily Max Report	XXX	Report	Daily Max Report	XXX
Dichlorobromomethane (ug/L)	0.039	Daily Max 0.055	XXX	2.05	Daily Max 2.92	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	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	41,095 Total	XXX	XXX	XXX	XXX
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)	XXX	Annual Report	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	5,479 Total	XXX	XXX	XXX	XXX
Effluent Net		Annual				

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

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

The EPA Waiver is not in effect.

PA0081868 A-1, SIC Code 4952, **PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055-4436. Facility Name: American Water Co. Fairview Township North STP. This existing facility is located in Fairview Township, **York County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 7-E 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 .726 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	151	242	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	182	272	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
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) (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
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	12	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .726 MGD.—Limits.

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	14,322	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

<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>	
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	2,262 Total Annual	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

PA0246816, Sewage, SIC Code 4952, **Lenker Estates Homeowners Assoc**, P.O. Box 123, Dauphin, PA 17018-0123. Facility Name: Lenker Estates Subdivision. This existing facility is located in Halifax 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), Unnamed Tributary to Susquehanna River (WWF), is located in State Water Plan watershed 6-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .045375 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .045375 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .045375 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>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	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.03	XXX	0.1
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4

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

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

The EPA Waiver is in effect.

Southeast Regional Office

PAI130521, MS4, Willistown Township, Chester County, 688 Sugartown Road, Malvern, PA 19355.

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 Willistown Township, **Chester County**. The receiving stream(s), Unnamed Tributary of Crum Creek (HQ-CWF, MF), is located in State Water Plan watershed 3-G and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(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.

PA0054810, Sewage, SIC Code 4952, **Upper Frederick Township**, 3205 Big Road, Frederick, PA 19435-0597. Facility Name: Perkiomen Crossing STP. This existing facility is located in Upper Frederick Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04785 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	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04785 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.10	XXX	0.20
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4.0	6.0	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	4.0	6.0	XXX	10.0	15.0	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

<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>	
Nitrate-Nitrite as N	4.0	XXX	XXX	10.0	XXX	20
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	1.8	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	0.6	XXX	XXX	1.5	XXX	3
Total Phosphorus	0.2	XXX	XXX	0.5	XXX	1

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report Avg Qrtly	XXX	Report

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

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

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

- No stormwater into sewage
- Proper disposal of collected screenings, slurries, sludges, and solids
- TRC minimization in effluent
- Designation of responsible operator
- Development of Operations and Maintenance (O & M) Plan

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

The EPA Waiver is in effect.

PA0057061, Sewage, SIC Code 4952, **Upper Frederick Township**, P.O. Box 597, Frederick, PA 19435-0597. Facility Name: Ivy Ridge STP. This existing facility is located in Upper Frederick Township, **Montgomery County**.

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

The receiving stream(s), Scioto Creek (TSF), is located in State Water Plan watershed 3-E and is classified for Trout Stocking Fisheries, 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 0.0215 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0215 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.2	XXX	0.45
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	4.5	7.2	XXX	25.0	40.0	50
May 1 - Oct 31	3.6	5.4	XXX	20.0	30.0	40
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	Report

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids Fecal Coliform (No./100 ml)	3.6	5.4	XXX	20.0	30.0	40
Oct 1 - Apr 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000.0
Total Nitrogen Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30	0.72	XXX	XXX	4.0	XXX	8
May 1 - Oct 31	0.54	XXX	XXX	3.0	XXX	6
Total Phosphorus	0.3	XXX	XXX	1.5	XXX	3

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

- No stormwater into sewage
- Proper disposal of screenings, slurries, and solids
- TRC minimization in effluent
- Notification of designation of responsible operator
- Development and maintenance of Operations and Maintenance (O & M) Plan
- Seasonal monitoring for Fecal Coliform

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

The EPA Waiver is in effect.

Southwest Regional Office

Application No. PA0281794, Concentrated Animal Feeding Operation (CAFO), **Dividing Ridge Farm (Dividing Ridge Farm)**, 207 Dividing Ridge Road, Fairhope, PA 15538-2040.

Dividing Ridge Farm has submitted an application for an Individual NPDES permit for a new CAFO known as Dividing Ridge Farm, located in Allegheny Township, **Somerset County**.

The CAFO is situated near Hillegas Run (HQ-CWF, MF) in Watershed 13-A, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO will be designed to maintain an animal population of approximately 1,546.6 animal equivalent units (AEUs) consisting of 700 Holstein Lactating Cows, 92 Holstein Dry Cows, 490 Heifers 4—24 mo., and 80 Calves 0—4 mo. Liquid manure generated on the operation will be stored in HDPE Lined Lagoon Cell 1, HDPE Lined Lagoon Cell 2, and the Circular Slurry Store. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

PA0217867, Sewage, SIC Code, **Resources for Human Development, Inc.**, 6383 Tuscarawas Road, Midland, PA 15059-2041. Facility Name: Resources for Human Development STP. This existing facility is located in Ohioville Borough, **Beaver 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 Upper Dry 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 .01 MGD.—Interim 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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.01	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.10	XXX	0.24
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				Geo Mean		
Nov 1 - Apr 30	XXX	XXX	XXX	2.8	XXX	5.6
May 1 - Oct 31	XXX	XXX	XXX	1.9	XXX	3.8

The proposed effluent limits for Outfall 001 are based on a design flow of .01 MGD.—Final 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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.01	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.01	XXX	0.04
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				Geo Mean		
Nov 1 - Apr 30	XXX	XXX	XXX	2.8	XXX	5.6
May 1 - Oct 31	XXX	XXX	XXX	1.9	XXX	3.8

The proposed effluent limits for Outfall 001 are based on a design flow of .01 MGD.—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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
E. Coli (No./100 mL)	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

PA0219371, Sewage, SIC Code 8800, **Van Scoyoc Frank & Leona**, 7480 Primrose Drive, Mentor On The Lake, OH 44060-3352. Facility Name: Van Scoyoc Sr STP. This existing facility is located in Dean Township, **Cambria County**.

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

The receiving stream(s), Clearfield Creek (WWF), is located in State Water Plan watershed 8-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Yearly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Yearly	Average Weekly		Annual Average	Maximum	
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Avg Mo 200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

Northcentral Regional Office

Application No. PA0232858, Concentrated Animal Feeding Operation (CAFO), **Boop's Family Hog Farm, LLC (Boop's Family Hog Farm)**, 1555 Swengel Road, Mifflinburg, PA 17844-8149.

Boop's Family Hog Farm LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Boop's Family Hog Farm, located in Lewis Township, **Union County**.

The CAFO is situated near Unnamed Tributary of Penns Creek in Watershed 6-A, which is classified for Migratory Fishes and Trout Stocking (TSF, MF). The CAFO is designed to maintain an animal population of approximately 1,453.81 animal equivalent units (AEUs) consisting of 9,600 Swine Grow Finish. Liquid manure is stored in two concrete underbarn storages each with a capacity of 1,667,000 gallons. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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

Application Number	Application Type	Applicant Name & Address	Municipality, County	Office
PAD090084	New	Hiossen, Inc. 270 Sylvan Avenue Suite 1130 Englewood Cliffs, NJ 07632-2561	Falls Township Bucks County	SERO
PAD450052A-2	Major Amendment	Kalahari Resorts, LLC 250 Kalahari Blvd Pocono Manor, PA 18349 Pocono Manor Investors, LP P.O. Box 38 Pocono Manor, PA 18349	Tobyhanna Township Pocono Township Monroe County	NERO
PAD390223	New	Pennsylvania Department of Transportation 5-0 1002 Hamilton Street Allentown, PA 18101	Whitehall Township Lehigh County	NERO
PAD480170	Renewal	UGI Easton Area System Improvement Project Proposed 8" Gas Main Project 1 UGI Drive Denver, PA 17517-9809	Forks Township Northampton County	NERO
PAD390219	New	Ricky Kulik Real Estate, LLC 225 Elm Street Emmaus, PA 18049	Lower Macungie Township Lehigh County	NERO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD480165	New	Jared & Monica Issacman 2002 N. Irving Street Allentown, PA 18109-9554	Lower Nazareth Township Northampton County	NERO
PAD530009	New Individual Permit	Galeton Borough 24 West Main Street Galeton, PA 16922	Galeton Borough Pike Township Potter County	NCRO

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).

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Application No. 2122501, Public Water Supply.

Applicant	Uriah United Methodist Church 925 Goodyear Road Gardners, PA 17324-8920
Municipality	South Middleton Township
County	Cumberland
Responsible Official	Paul Thompson Pastor 925 Goodyear Road Gardners, PA 17324-8920

Consulting Engineer	Michael Gennone, P.E. Glace Associates Inc 3705 Trindle Road Camp Hill, PA 17011
Application Received	January 21, 2022
Description	Construction permit application proposing to modify the existing system. Modifications to system include updating iron and manganese removal and pH adjustment.

Application No. 4422501, Public Water Supply.

Applicant	JLM Real Estate Investments, LLC 950 E Main Street Schuylkill Haven, PA 17972
Municipality	Granville Township
County	Mifflin
Responsible Official	James L. Miller Manager 950 E Main Street Shuylkill Haven, PA 17972

Consulting Engineer	Robert H. Schemmerling, P.E. RHS Engineering, Inc. 2909 Conococheague Lane Greencastle, PA 17225
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Application Received	January 21, 2022
Description	Newly proposed system and treatment for Dollar General, Lewistown 23038. The proposed system and treatment includes a well, water softener, cartridge filtration, and 4-log treatment for viruses.

Application No. 0621528, Public Water Supply.

Applicant	Miller Group Holdings, LP P.O. Box 472 950 East Main Street Schuylkill Haven, PA 17972
Municipality	Fleetwood Borough
County	Berks
Responsible Official	Dan McMahon Project Manager 950 East Main Street Suite 107 Schuylkill Haven, PA 17972
Consulting Engineer	Sean Sweeney, P.E. Barton & Loguidice 3901 Hartzdale Drive Camp Hill, PA 17011

Application Received August 19, 2021
 Description New water system consisting of Well No. 1, upflow filtration for TDS removal, ion exchange for iron/manganese removal, 5-micron cartridge filter, reverse osmosis filtration for TDS removal, storage, UV disinfection, and distribution pumps.

Application No. 0621530, Public Water Supply.

Applicant **Trautman Plaza**
 215 West Bahney Avenue
 Myerstown, PA 17067

Municipality Jefferson Township

County **Berks**

Responsible Official Warren I. Trautman
 Owner
 215 West Bahney Ave
 Myerstown, PA 17067

Consulting Engineer Charles A. Kehew II, P.E.
 James R. Holley &
 Associates, Inc.
 18 South George Street
 York, PA 17401

Application Received September 15, 2021
 Description New water system created from the combined existing two systems, Your Daily Grind (PWSID 3061242) and Boyer's Food Market (PWSID 3060935). The new system will use the existing Your Daily Grind well source. New proposed equipment will include greensand filtration for iron and manganese removal, sodium hypochlorite disinfection, 4-log virus inactivation, finished water storage, and distribution pumps.

Application No. 0621531, Public Water Supply.

Applicant **Joe Jurgielewicz & Son Ltd**
 P.O. Box 257
 189 Cheese Lane
 Shartlesville, PA 19554

Municipality Tilden Township

County **Berks**

Responsible Official Paul Levan
 Manager of Maintenance and Sustainability
 P.O. Box 257
 189 Cheese Lane
 Shartlesville, PA 19554

Consulting Engineer Michael D. Wade, P.E.
 Keystone Engineering Group Inc.
 590 E Lancaster Ave
 Ste 200
 Frazer, PA 19355

Application Received September 2, 2021

IDescription Modifications to the existing system to include a 0.40 MG above ground storage tank to increase raw water storage capacity. Additional changes include new pumping equipment.

Application No. 0621535, Public Water Supply.

Applicant **Kutztown Produce Auction, Inc.**
 209 Oakhaven Road
 Fleetwood, PA 19522

Municipality Richmond Township

County **Berks**

Responsible Official Nathaniel S. Burkholder
 Vice President
 209 Oakhaven Road
 Fleetwood, PA 19522

Consulting Engineer Charles A. Kehew II, P.E.
 James R. Holley &
 Associates, Inc.
 18 South George Street
 York, PA 17401

Application Received September 29, 2021
 Description New sodium hypochlorite disinfection system and 4-log inactivation of viruses.

Application No. 0122501, Public Water Supply.

Applicant **New Oxford MHC, LLC**
 524 Meadow Avenue
 Loop Banner Elk, NC 28604

Municipality Mt. Pleasant Township

County **Adams**

Responsible Official Matthew Raynor
 Executive Director
 524 Meadow Avenue
 Loop Banner Elk, NC 28604

Consulting Engineer N Peter Fleszar, P.E.
 Glace Associates, Inc.
 3705 Trindle Road
 Camp Hill, PA 17011

Application Received January 7, 2022
 Description Use of the existing blended phosphate feed for LCR corrosion control.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

WA36-257D, Water Allocations. Elizabethtown Area Water Authority (PWS ID No. 7360124), 211 West Hummelstown Street, Elizabethtown, PA 17022, Elizabethtown Borough, **Lancaster County**. The applicant is requesting the right to withdraw 1.62 million gallons per day (MGD) from Back Run, 1.62 MGD from the Conewago Creek (for augmentation of flows in Back Run only), and 1.5 MGD from the Cornwall Quarry (for augmentation of flows in the Conewago Creek only).

Applicant Address: Del Becker, Authority Manager, Elizabethtown Area Water Authority, 211 West Hummeltown Street, Elizabethtown, PA 17022. Consulting Engineer: Jamie Lorah, P.E., Spotts Stevens & McCoy, 1047 North Park Road, Reading, PA 19610. Application Received: December 13, 2021.

WA28-1039, Water Allocations. Suez Water Pennsylvania (PWS ID No. 7280064), 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112, Letterkenny Township, **Franklin County**. The applicant is requesting to purchase up to 20,000 gallons per day from the Bear Valley Joint Authority (PWS ID No. 7280043). Applicant Address: John Hollenbach, General Manager, Suez Water Pennsylvania, 6310 Allentown Boulevard, Suite 104, Harrisburg, PA 17112. Consulting Engineer: Brendan West, P.E., Suez Water Pennsylvania Inc., 6310 Allentown Blvd, Harrisburg, PA 17112. Application Received: August 26, 2021.

WA38-264D, Water Allocations. City of Lebanon Authority (PWS ID No. 7380010), 2311 Ridgeview Road, Lebanon, PA 17042, Jonestown Borough, **Lebanon County**. The applicant is requesting the right to withdraw a maximum of 8,000,000 gallons per day (gpd) from the Siegrist Reservoir and 12,000,000 gpd from the Swatara Creek, based on a thirty (30) day average. Applicant Address: Jonathan R. Beers, Executive Director, City of Lebanon Authority, 2311 Ridgeview Road, Lebanon, PA 17042. Consulting Engineer: Leah Gaffney, P.E., Black & Veatch Corp, 1617 JFK Blvd, Ste 1675, Philadelphia, PA 19003. Application Received: October 10, 2019.

WA38-1004A, Water Allocations. Fredericksburg Sewer and Water Authority (PWS ID No. 7380035), 113 East Main Street, Fredericksburg, PA 17026. Bethel Township, **Lebanon County**. The right to purchase a maximum of 500,000 gallons per day (gpd), based on a thirty (30) day average, from the City of Lebanon Authority through an existing interconnection located in Bethel Township, Lebanon County. Applicant Address: James A. Heisey, Authority Chairman, Fredericksburg Sewer & Water Authority, 113 East Main Street, P.O. Box 161, Fredericksburg, PA 17026. Consulting Engineer: Paul Lutzkanin, P.E., Steckbeck Engineering & Surveying Inc., 279 North Zinns Mill Road, Suite A, Lebanon, PA 17042. Application Received: October 15, 2018.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability 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 19401-484-250-5960.

General Permit Application No. WMGR074SE001 (Formerly WMGR074). Clean Earth of Philadelphia, LLC, 3201 South 61st Street, Philadelphia, PA 19153-3502. This permit is for the renewal of the determination of applicability (DOA) under General Permit No. WMGR074SE001 (Formerly WMGR074) for the reauthorization to process and beneficially use certain residual wastes in accordance with the DEP's General Permit No. WMGR074 for Clean Earth of Philadelphia,

LLC, a residual waste processing facility, located in the City of Philadelphia, **Philadelphia County**. The renewal application for determination of applicability was received by the Southeast Regional Office on February 2, 2022.

Comments concerning the application should be directed to the Waste Management Program Manager, Department of Environmental Protection (DEP), Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the general permit application may contact the Southeast Regional Office by telephone at 484.250.5960. TDD users may contact the (DEP) through the Pennsylvania Hamilton Relay Service, (800) 654.5984. Public comments must be submitted within 60-days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) 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.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit Application No. 101371. Waste Management of Pennsylvania, Inc., 4816 Timberline Road, Walnutport, PA 18088, Lehigh Township, **Northampton County**. A permit reissuance application to transfer the McAuliffe Transfer Station permit from Advanced Disposal Services Eastern PA, Inc. to Waste Management of Pennsylvania, Inc. The application was received by the Regional Office on February 2, 2022 and deemed administratively complete on February 4, 2022.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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 re-

view 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.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

49-00068A: ColorCoat, Inc., 294 North Industrial Park Road, Milton, PA 17847, has submitted an application (49-00068A) to the Pennsylvania Department of Environmental Protection for plan approval to construct and operate a surface coating operation with an integral spray booth at their facility located in Milton Borough, **Northumberland County.**

The Department's review of the information submitted by ColorCoat, Inc. indicates that the proposed source will meet all applicable air quality regulatory requirements, including the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12 pertaining to air contamination sources and the emission of air contaminants. Based on these findings, the Department intends to issue plan approval for the construction of the proposed project.

The following is a brief description of the conditions that the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the following air contaminant emissions from the exhaust of each spray booth in excess of the limitations listed as follows: (a) nitrogen oxides (NO_x, expressed as NO₂)—0.28 ton in any 12 consecutive month period, (b) carbon monoxide (CO)—0.12 ton in any 12 consecutive month period, (c) sulfur oxides (SO_x, expressed as SO₂)—0.002 ton in any 12 consecutive month period, (d) particulate matter (PM/PM₁₀/PM_{2.5})—0.001 grain per dry standard cubic foot of exhaust gas and 0.04 ton in any 12 consecutive month period, (e) total combined volatile organic compounds (VOC)—2.70 tons in any 12 consecutive month period, (f) total combined volatile hazardous air pollutants (VHAPs)—1.32 tons in any 12 consecutive month period;

2. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use natural gas as fuel for the dryer units incorporated in each spray booth. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall surface coat no more than 300 window frames per day in each spray booth.

3. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use high-volume, low-pressure (HVLP) spray guns to apply any coating in each spray booth.

4. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, overspray from the surface coating operation in each spray booth shall be kept to a minimum.

5. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, each spray booth shall be equipped with a full set of filter panels during any surface coating operation.

6. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep on hand spare filter panels for the immediate replacement of any filter panel in each spray booth due to deterioration.

7. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall equip each spray booth with instrumentation to monitor the differential pressure across the filter panels on a continuous basis. The permittee shall record the differential pressure at least once per shift.

8. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, all containers of volatile organic compound-containing, volatile hazardous air pollutant-containing and acetone-containing materials shall be kept closed except when material is being added or removed from the containers.

9. Pursuant to the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12, the doors of

each spray booth shall remain closed any time that spraying operations are occurring in the spray booth. The plan approval will include all regulatory requirements, including monitoring, recordkeeping, and reporting requirements. The facility is a State Only facility.

If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 49-00068A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 49-00068 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

All documentation used in the evaluation of the application is available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

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

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

65-00634B: Eastern Gas Transmission & Storage, Inc., 6603 West Broad Street, Richmond, VA 23230. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 65-00634B to allow the installation and operation of one (1) 21,869 scfm oxidation catalyst to an existing 6,000 bhp Cooper compressor engine. The facility is located at 8385 Hills Church Road in the Municipality of Murrys ville, **Westmoreland County**.

The proposed project potential to emit will not equal or exceed 68 tons per year of nitrogen oxides (NO_x), 23.5 tons per year of carbon monoxide (CO), 8.5 tons per year of particulate matter less than 10 microns in diameter (PM₁₀), 8.5 tons per year of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 0.5 ton per year of sulfur dioxide (SO₂), 24.5 tons per year of volatile organic compounds (VOC), 10.5 tons per year of total hazardous air pollutants (HAPs), and 6 tons per year of Formaldehyde, the single highest hazardous air pollutant from the project.

Facility-wide potential to emit after completion of the project shall not equal or exceed 87 tons per year of nitrogen oxides (NO_x), 42.5 tons per year of carbon monoxide (CO), 11 tons per year of particulate matter less than 10 microns in diameter (PM₁₀), 11 tons per year of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 2.00 tons per year of sulfur oxides (SO_x), 44 tons per year of volatile organic compounds (VOC), 12.5 tons per year of total hazardous air pollutants (HAPs) and 6.5 tons per year of Formaldehyde, the single highest hazardous air pollutant at the facility. Under the proposed changes in this Plan Approval, the facility will no longer be a major NO_x emitting and major VOC emitting facility.

The authorization is subject to State Emission Standards. This Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise the existing Title V Operating Permit or submit a revision to the pending Title V Operating Permit application in accordance with 25 Pa. Code Subchapter G.

The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this project are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

A person may oppose the proposed plan approval by filing a written protest with the Department through Trent Greener, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; tgreener@pa.gov; or fax 412.442.4096. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00634B) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

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

Intent to Issue Operating Permits 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, (570) 826-2409.

45-00021: Lehigh Valley Health Network/Pocono Facility, 206 East Brown Street, East Stroudsburg, PA 18301. The Department intends to issue an Operating Permit Administrative Amendment for their facility located in East Stroudsburg Borough, **Monroe 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

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

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

65-00912: The AMES Co., Inc./Champion Facility, 465 Railroad Avenue, 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 a concise statement 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 aluminon 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 a concise statement 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.

63-00654: Elliott Company Inc., 1250 Scott Street Extension, Donora, PA 15033. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Elliott Company to authorize the continued operation of their shop repairing and servicing turbines, as well as manufacture of new bearings located in Donora Borough, **Washington County**.

The activities include abrasive blasting for cleaning and surface preparation, welding, burning, grinding, stress relieving, cleaning, painting, lead Babbitt pouring and thermal deposition of metal layers. The facility has baghouses to control emissions of particulate matter (PM). Emissions from this facility is minimal with less than a ton of PM₁₀, VOC and very small amount of HAPs. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (63-00654) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

All comments must be received prior to the close of business 30-days after the date of this publication.

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 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.

34-03006: Stella Jones Corp., P.O. Box 251, McAlisterville, PA 17049, to issue a State Only Operating Permit for the 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 JJJJJ.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

Mining activity permits issued in response to such applications are also subject to applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated

above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

Coal Applications Received

Effluent Limits—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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

Mining Permit No. 17000107. King Coal Sales, Inc., P.O. Box 712, Philipsburg, PA 16866. Revision to add 6.9 acres to the south east boundary of the permit and delete 6.9 acres from the boundary in a location not impacted by mining to an existing bituminous surface and auger mine located in Bigler and Woodward Townships, **Clearfield County**, affecting 167.8 acres. Receiving stream(s): Upper Morgan Run and Goss Run classified for the following use(s): CWF. Application received: February 3, 2022.

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

NPDES Permit No. PA0123862 (Mining Permit No. 54803203). Rausch Creek Fuel, LLC, 978 Gap Street, Valley View, PA 17983, correction to an existing NPDES Permit to include acreage from SMP No. 54803019 for a total of 85.0 acres in Hegins Township, **Schuylkill County**. Receiving stream: East Branch Rausch Creek, classified for the following use: CWF. Application received: January 25, 2022.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

Additional criteria

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan, and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters of this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Submittal of comments

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit notice within 30-days of this notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and phone number of the writer and a concise statement to inform the Department of the basis of a comment and the relevant facts upon which it is based.

Requests or petitions for a public hearing on any NPDES permit applications will be accepted as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, phone number and the interest of the party filing the request and state the reasons why a hearing is warranted. The Department may hold a public hearing if the public interest is significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Noncoal NPDES Draft Permits

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

NPDES No. PA0224456 (Mining Permit No. 21050301), JR Zimmerman Enterprises, LLC, 35 Ridge Road, Newville, PA 17241, renewal of an NPDES permit in North Newton Township, **Cumberland County**, affecting 33.31 acres. Receiving stream: unnamed tributary to Green Spring Creek, classified for the following use: CWF. The receiving stream is included in the Conodoguinet Creek TMDL. Application received: June 22, 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 Green Spring Creek:

<i>Outfall number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge rate [*]</i>
001	Existing	Sediment Pond	Precipitation Induced
002	Existing	Sediment Pond	Precipitation Induced
003	Existing	Sediment Trap	Precipitation Induced

*Indicate the rate or frequency of the proposed discharge; if the discharge is continuous, the average daily flow in GPD or MGD

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

<i>Parameter (unit)</i>	<i>Minimum Average</i>	<i>30-Day Maximum</i>	<i>Daily Maximum</i>	<i>Instant</i>
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX

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)).

Southwest District Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E3007221-007: DTM Appalachia Gathering, LLC, 100 Noble Energy Drive, 5th Floor, Canonsburg, PA 15317-7550.

This Joint Permit Application is being submitted for proposed landslide repair activity and preventative maintenance at eight (8) locations on the existing Appalachia Pipeline Project South. The project is Whiteley, Perry, Jefferson and Wayne Townships, **Greene County**, Pittsburgh USACE district, (Blacksville; Garards Ford; Mather and Oak Forest Quadrangles). The project includes repair of seven existing slide locations, one area of preventative maintenance to mitigate future slide risk, and one additional work area to extend field drains within a floodway. The project will result in permanent impacts to four (4) PEM wetlands. The project also requires seven (7) GP-8 registrations for temporary stream and wetland crossings for site access and five (5) GP-4 registrations for installation of drainage within stream floodways. Stream and floodway impacts are associated with UNTs to Rudolph Run (WWF), UNTs to Sharps Run (WWF), UNT to Patterson Run (TSF), UNT to Haynes Run (WWF) and UNTs to Muddy Creek (WWF).

The landslide repair, landslide preventative maintenance, and installation of drainage will result in permanent direct impacts to 0.25 acre of PEM wetland and 0.97 acre of floodway. Temporary road crossings and construction access will temporarily impact 0.04 acre of PEM wetland, 85 LF of stream, and 0.87 acre of floodway.

JPA Impact Table:

Resource Name	Aquatic Resource Type	Activity	Waters Name	Chapter 93 Designation	Impact Area Temp. (SF)	Impact Length Temp. (LF)	Impact Area Perm. (SF)	Impact Length Perm. (LF)	Lat. Long.
JPA-01	PEM	Landslide Repair, Fill	WPA-JJP-060	Other			9,690		39.819947 -80.161790
JPA-02	PEM	Landslide Repair, Fill	WPA-JJP-066	Other			1,462		39.785398 -80.179433
JPA-03	PEM	Landslide Repair, Fill	WPA-JJP-062	Other			2,537		39.819931 -80.161886
JPA-04	PEM	Landslide Repair, Fill	WPA-JJP-063	Other			3,120		39.756121 -80.171733
TOTAL IMPACTS							11,674		

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

E5929222-001: Repsol Oil and Gas USA, LLC, 337 Daniel Zenker Drive, Horseheads, NY 14845, Liberty Township, Tioga County, ACOE Baltimore District.

A permanent access road, 12-inch diameter culvert and 12-inch diameter above ground waterline impacting 640 square feet of exceptional value palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle, 41.63840° N, -76.118592° W). The project will result in 640 square feet (0.015 acre) of permanent wetland impacts for the purpose of installing an access road and temporary waterling to a pipeline riser structure in Liberty Township, Tioga County.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended, and renewed NPDES and WQM permits, applications for permit waivers, and NOIs for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated county conservation district (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a, including links to Individual NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES_SERO@pa.gov.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES_NERO@pa.gov.

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

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES_NCRO@pa.gov.

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

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

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES_Permits@pa.gov.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

I. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0058211	Industrial Stormwater Individual NPDES Permit	Issued	Evergreen Resources Management Operations 2 Righter Parkway Suite 120 Wilmington, DE 19803-1528	Upper Chichester Township Delaware County	SERO
PA0276481	Industrial Stormwater Individual NPDES Permit	Issued	Fed Express Corp 3620 Hacks Cross Road Building B 3rd Floor Memphis, TN 38125-8800	Hanover Township Northampton County	NERO
PAS402202	Industrial Stormwater Individual NPDES Permit	Issued	RPM Recycling Inc. 701 N Broadway Wind Gap, PA 18091-1114	Plainfield Township Northampton County	NERO
PAS800001	Industrial Stormwater Individual NPDES Permit	Issued	Fedex Freight, Inc. 2200 Forward Drive Dc:2219 Harrison, AR 72601	Upper Uwchlan Township Chester County	SERO
PA0024058	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Kennett Square Borough Chester County 120 Marshall Street Kennett Square, PA 19348-3108	Kennett Square Borough Chester County	SERO
PA0037966	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Moshannon Valley Joint Sewer Authority Centre County 829 N 9th Street Philipsburg, PA 16866-2327	Rush Township Centre County	NCRO
0509403	Major Sewage Treatment Facility Individual WQM Permit	Issued	Bedford Borough Municipal Authority 244 W Penn Street Bedford, PA 15522-1226	Bedford Borough Bedford County	SCRO
PA0100510	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Greenville Metals, Inc. 850 Crestview Drive Transfer, PA 16154	Pymatuning Township Mercer County	NWRO
PA0033111	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Oak Creek Campgrounds, Inc. P.O. Box 128 Bowmansville, PA 17507-0128	Brecknock Township Lancaster County	SCRO
PA0034959	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Pinebloom Corp 308 Timberwolf Run Knox, PA 16232-4072	Beaver Township Clarion County	NWRO
PA0216160	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	The Washington County Coal Co. 46226 National Road Saint Clairsville, OH 43950-8742	South Strabane Township Washington County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0205869	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	West Branch Sewer Authority Cambria County 901 Maple Avenue Suite 2 Northern Cambria, PA 15714-1331	Susquehanna Township Cambria County	SWRO
NOEXSE178	No Exposure Certification	Issued	Cobham Advanced Electronic Solutions 305 Richardson Road Lansdale, PA 19446-1495	Montgomery Township Montgomery County	SERO
PAR602246	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Alan Auto Parts 4162 Best Station Road Slatington, PA 18080	Washington Township Lehigh County	NERO
PAR602247	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Alan U Pull It 4162 Best Station Road Slatington, PA 18080-3751	Washington Township Lehigh County	NERO
PAR800065	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	UPS, Inc. 55 Glenlake Parkway Atlanta, GA 30328	West Goshen Township Chester County	SERO
PAG049593	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Amy & Neal Chase 751 Saxonburg Road Butler, PA 16002-0961	Jefferson Township Butler County	NWRO
PAG096118	PAG-09 General Permit for Beneficial Use of Residential Septage	Issued	Adam Lewis Trucking 315 Green Valley Road Carmichaels, PA 15320-2679	Greene Township Greene County	SWRO
PAG122205	PAG-12 NPDES General Permit for CAFOs	Issued	Sauder's Eggs 570 Furnace Hills Road Lititz, PA 17543	Hubley Township Schuylkill County	SCRO
PAG123830	PAG-12 NPDES General Permit for CAFOs	Issued	Reinford Farms, Inc. 505 Cedar Grove Road Mifflintown, PA 17059-8134	Walker Township Juniata County	SCRO
PA0255041	Single Residence STP Individual NPDES Permit	Issued	Kibler William P.O. Box 96 Hastings, PA 16646-0096	Elder Township Cambria County	SWRO
PA0264555	Single Residence STP Individual NPDES Permit	Issued	McMichael Andrew 133 Route 44 Shinglehouse, PA 16748-3615	Ceres Township McKean County	NWRO
PA0264831	Single Residence STP Individual NPDES Permit	Issued	Hornberger Benjamin 133 Ridge Drive Karns City, PA 16041-1721	Fairview Township Butler County	NWRO
PA0288071	Single Residence STP Individual NPDES Permit	Issued	Sun Alaria 174 Brook Road Clarion, PA 16214-3406	Monroe Township Clarion County	NWRO
1620401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sun Alaria 174 Brook Road Clarion, PA 16214-3406	Monroe Township Clarion County	NWRO
WQG018761	WQG-01 WQM General Permit	Issued	Amy and Neal Chase 751 Saxonburg Road Butler, PA 16002-0961	Jefferson Township Butler County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG02012102	WQG-02 WQM General Permit	Issued	Possum Valley Municipal Authority Adams County 609 Clearview Road Aspers, PA 17304-9703	McNallen Township Adams County	SCRO

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>
PAC090506	PAG-02 General Permit	Issued	JMNM, LLC 135 S. Marmic Drive Holland, PA 18966-1725	Bristol Township Bucks County	SERO
PAC090073 A-1	PAG-02 General Permit	Issued	Luis Flores 595 Linton Hill Road Newtown, PA 18940	Newtown Township Bucks County	SERO
PAD510208	PAG-02 General Permit	Issued	1200 Intrepid GP Holdco, LLC 150 Rouse Boulevard Suite 210 Philadelphia, PA 19112	City of Philadelphia Philadelphia County	SERO
PAD480150	Individual NPDES	Issued	Airport Road Partners, LP c/o Abraham Atiyeh 1177 6th Street Whitehall, PA 18052-5212	East Allen Hanover Townships Northampton County	NERO
PAD480154	Individual NPDES	Issued	CCAN, LLC c/o Nicholas Athanasiou 531 6th Avenue Bethlehem, PA 18018-5203	City of Bethlehem Northampton County	NERO
PAC390165	PAG-02 General Permit	Issued	Parkland School District 1210 Springhouse Road Allentown, PA 18104	South Whitehall Township Lehigh County	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18104 610-391-9583
PAD140060	Individual Permit	Issued	Wildlife for Everyone Foundation South Eagle Valley Road Julian, PA 16844	Huston Township Centre County	NCRO
PAC600078	PAG-02 GP	Issued	Water Tammer BS&B Repair, Inc. 180 Green Ridge Road Mifflinburg, PA 17844	Buffalo Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAD020043	Individual NPDES Permit	Issued	Moon Marketplace Agent, LLC 965 Greentree Road Suite 400 Pittsburgh, PA 15220	Moon Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005
PAC040091-A2	PAG-02 General Permit	Issued	Gaucha Solar, LLC 906 W. McDermott Drive Allen, TX 75013	Findlay Township Allegheny County Independence Township Beaver County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 291-8005 and Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC560059	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	Somerset Borough Somerset County	Somerset County Conservation District Somerset County AG Center 6024 Glades Pike Suite 103 Somerset, PA 15501
PAC560060	PAG-02 General Permit	Issued	Jenner Area Joint Sewer Authority 102 Saylor Street P.O. 202 Jennerstown, PA 15547	Boswell Borough Somerset County	Somerset County Conservation District Somerset County AG Center 6024 Glades Pike Suite 103 Somerset, PA 15501
PAC560062	PAG-02 General Permit	Issued	Twin Lakes Center, Inc. 224 Twin Lakes Road Somerset, PA 15501	Somerset Township Somerset County	Somerset County Conservation District Somerset County AG Center 6024 Glades Pike Suite 103 Somerset, PA 15501
PAD630055	Individual NPDES Permit	Issued	Dredge Docks, Inc. 4900 Grand Avenue Pittsburgh, PA 15225	Centerville Borough Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301
PAC630224	PAG-02 General Permit	Issued	1009 Beaver Grade Road Suite 210 Moon Township, PA 15108	Robinson Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301
PAC630234	PAG-02 General Permit	Issued	PTV 1177, LLC 400 Penn Center Boulevard Building 4 Suite 1000 Pittsburgh, PA 15235	East Bethlehem Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301
PAC650295	PAG-02 General Permit	Issued	UMH Properties, Inc. 150 Clay Street Suite 450 Morgantown, WV 26501	East Huntingdon Township Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601
PAC650308	PAG-02 General Permit	Issued	Franklin Township Municipal Sanitary Authority 3001 Meadowbrook Road Murrysville, PA 15668	Municipality of Murrysville Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601
PAC250148A1	PAG-02 General Permit	Issued	Shearer's Foods, LLC 821 State Route 97 South Waterford, PA 16441	Waterford Township LeBoeuf Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAD250014	Individual NPDES	Issued	ITC Lake Erie Connector, LLC 27175 Energy Way Novi, MI 48377	Conneaut Township Girard Township Springfield Township Erie County	NWRO

Permit Number	Permit Type	Action Taken	Applicant Name & Address	Municipality, County	Office
PAC100245	PAG-02 General Permit	Issued	Whitestown Holding 125 Pflugh Road Butler, PA 16001	Lancaster Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

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).

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

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

Permit No. 3546495, Operations Permit, Public Water Supply.

Applicant	Jackson Perry d/b/a/Eagle Springs, Inc. (Tanker Truck Updates) 1703 Panther Valley Road Pine Grove, PA 17693
Township	Wayne Township
County	Schuylkill
Type of Facility	Finished Bulk Water Hauling

Consulting Engineer Mr. Edward Davis, PE
Miller Bros. Construction, Inc.
950 East Main Street
Schuylkill Haven, PA 17972

Permit to Operate
Issued December 9, 2021

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Construction Permit No. 2221515, Public Water Supply.

Applicant	Capital Region Water 3003 North Front Street Harrisburg, PA 17110
Municipality	Susquehanna Township
County	Dauphin
Consulting Engineer	Jamie R. Shambaugh, P.E. Gannett Fleming, Inc. P.O. Box 67100 Harrisburg, PA 17106-7100
Permit Issued	January 11, 2022
Description	Modifications to the existing flocculation basins and drive motors.

Construction Permit No. 3821505, Public Water Supply.

Applicant	Heidelberg Township P.O. Box 188 Schaefferstown, PA 17088
Municipality	Heidelberg Township
County	Lebanon
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit Issued	January 25, 2022
Description	Replacement of the existing nitrate treatment system.

Construction Permit No. 7500372, Public Water Supply.

Applicant	Kingdom Grounds, LLC 1400 Shumaker Road Blain, PA 17006
Municipality	Spring Township
County	Perry
Consulting Engineer	Not Listed
Permit Issued	January 31, 2022

Description Approval to Construct for Kingdom Grounds LLC's Kingdom Grounds Cafe for a new system and treatment.

Comprehensive Operation Permit No. 7210056 issued to: **Blue Mountain Heights MHP, LLC (PWS ID No. 7210056)**, P.O. Box 189, Moscow, PA 18444, Lower Mifflin Township, **Cumberland County**, on February 8, 2022 for the operation of facilities submitted under Application No. 7210056. Comprehensive operation permit for transfer of ownership, as well as an increase in free chlorine residual for Entry Point 101.

Comprehensive Operation Permit No. 7360045 issued to: **Ephrata Area Joint Authority (PWS ID No. 7360045)**, 124 South State Street, Ephrata, PA 17522, Ephrata Borough, **Lancaster County**, on January 11, 2022 for the operation of facilities approved under Construction Permit No. 3620524. Installation of a sodium permanganate feed system as pretreatment with seasonal use of the existing gas pre-chlorination system in an effort to eliminate DBPs.

Operation Permit No. 2121501 MA issued to: **Pennsylvania-American Water Company (PWS ID No. 7210029)**, 852 Wesley Park Drive, Mechanicsburg, PA 17055, Lower Allen Township, **Cumberland County**, on January 31, 2022 for facilities approved under Construction Permit No. 2121501 MA. Operation permit for the Slate Hill Tank rehabilitation project.

Operation Permit No. 2121502 issued to: **Pennsylvania American Water Company (PWS ID No. 7210029)**, 852 Wesley Park Drive, Mechanicsburg, PA 17055, Middlesex Township, **Cumberland County** on January 31, 2022 for facilities approved under Construction Permit No. 2121502. Operation of Emergency Interconnection with Middlesex Township Municipal Authority.

Operation Permit No. 2121503 issued to: **Middlesex Township Municipal Authority (PWS ID No. 7210063)**, 350 North Middlesex Road, Suite 2, Carlisle, PA 17013, Middlesex Township, **Cumberland County**, on January 31, 2022 for facilities approved under Construction Permit No. 2121503. Operation permit for the emergency interconnection with Pennsylvania American Water Company.

Operation Permit No. 7671097 issued to: **Diamond 7 Ranch & Arena (PWS ID No. 7671097)**, 36 Deardorff Road, Dillsburg, PA 17019, Washington Township, **York County**, on January 25, 2022 for facilities approved under Construction Permit No. 7671097. Operation permit for treatment system, which includes sodium hypochlorite disinfection and contact tanks.

Comprehensive Operation Permit No. 7010021 issued to: **Hoffman Homes, Inc. (PWS ID No. 7010021)**, 815 Orphanage Road, Littlestown, PA 17340-9329, Mt. Joy Township, **Adams County**, on January 25, 2022 for the operation of facilities at Hoffman Homes for Youth, Inc., approved under Construction Permit No. 0121505 MA. Well No. 2 softening, replacement of the cation exchange media along with piping modifications to the cation exchange treatment system.

Comprehensive Operation Permit No. 7671148 issued to: **Culhane's, Inc. (PWS ID No. 7671148)**, 1 Laurel Road, New Cumberland, PA 17070, Fairview Township, **York County**, on February 2, 2022 for the operation of facilities at Culhane's Steak House approved under Construction Permit No. 6721510. Comprehensive Operation Permit for the entire system, as well as for

work completed under Construction Permit No. 6721510: softening, pH adjustment, new 4-log treatment of viruses using chlorination, and for raising the existing well casing out of the existing pit.

Comprehensive Operation Permit No. 7220002 issued to: **GSP Management Company (PWS ID No. 7220002)**, P.O. Box 677, Morgantown, PA 19543, Londonderry Township, **Dauphin County**, on January 12, 2022 for the operation of facilities at Cedar Manor MHP approved under Construction Permit No. 2221521 MA. Replacement of the Well 112 (EP 102) submersible pump.

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

Operation Permit No. 4721501 issued to: **Blue Springs, LLC**, P.O. Box 229, Bullville, NY 10915, **PWSID No. 4470008**, Washington Township, **Montour County**, on February 14, 2022, for the operation of facilities approved under construction permit # 4721501. This permit authorizes operation of a Kinetico Hydrus Macrolite Filtration System for iron and manganese removal and flushing lines on four existing 200-gallon contact tanks at Blue Springs Mobile Home Park.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 2621507, Public Water Supply.

Applicant	Indian Creek Valley Water Authority 2019 Indian Head Road Indian Head, PA 15446
Township	Saltlick Township
County	Fayette
Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. Suite 200 267 Blue Run Road Cheswick, PA 15024
Permit Issued	February 9, 2022

Permit No. 6321514, Public Water Supply.

Applicant	Donegal Township P.O. Box 310 34 North Liberty Street West Alexander, PA 15376
Township	Donegal Township
County	Washington
Type of Facility	Water system
Consulting Engineer	Senate Engineering Company U-PARC 420 William Pitt Way Pittsburgh, PA 15238-1330
Permit Issued	February 9, 2022

Permit No. 0221520, Public Water Supply.

Applicant	Pittsburgh Water & Sewer Authority 1200 Penn Avenue Pittsburgh, PA 15222
Municipality	City of Pittsburgh
County	Allegheny
Type of Facility	Water system

Consulting Engineer Mott MacDonald
325 Chestnut Street
Philadelphia, PA 19106

Permit Issued February 2, 2022

Permit No. 2621508MA, Minor Amendment, Public Water Supply.

Applicant **North Fayette County Municipal Authority**
1634 University Drive
P.O. Box 368
Dunbar, PA 15431

Township Dunbar Township

County **Fayette**

Type of Facility Media replacement

Consulting Engineer Herbert, Rowland & Grubic, Inc.
200 West Kensinger Drive
Suite 400
Cranberry Township, PA 16066

Permit Issued January 14, 2022

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. § 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

WA26-596D, Water Allocations. North Fayette County Municipal Authority, 1634 University Drive, P.O. Box 368, Dunbar, PA 15431, Dunbar Borough, Fayette County. The right to withdraw a maximum of 11.7 million gallons of water per day, peak month, from the Youghiogheny River.

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:

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

Contact: Eric Supey, Environmental Program Manager.

Estate of Joan Nilsen, 47 Highland Acres Drive, Honesdale, PA 18431, Berlin Township, Wayne County. Bluestone Environmental, 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Cowley Real Estate, 3350 North Main Avenue, Scranton, PA 18508, submitted a Final Report concerning remediation of soil 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.

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

2501 Brighton Ave, Storage Tank Facility ID # 02-29667, 2501 Brighton Road, Pittsburgh, PA 15212, City of Pittsburgh, Allegheny County. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of PALG UST III, LLC 645 Hamilton Street, Suite 400, Allentown, PA 18101, 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.

Larry Miller Property, Storage Tank Facility ID # 56-03788, 477 Horner Church Road, Stoystown, PA 15563, Stoystown Borough, Somerset County. Jed Hill, 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Larry Miller, 477 Horner Church Road, Stoystown, PA 15563, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel. The report is intended to document remediation of the site to meet the Statewide health or background standard.

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

Former Green Shingle Service & Restaurant, 6468 Sterrettania Road, Fairview, PA 16415, McKean Township, Erie County. Environmental Geo-Services, 678 Georgetown Road, Hadley, PA 16130 on behalf of Old PID, Inc., c/o Eldorado Resorts, 100 West Liberty Street, Suite 1150, Reno, NV 89501 has submitted a Remedial Investigation Report concerning remediation of site soil

contaminated with Benzene, Ethylbenzene, Cumene, Methyl Tert Butyl Ether, Naphthalene, Toluene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Xylenes and site groundwater contaminated with Benzene, Ethylbenzene, Naphthalene, and 1,2,4-Trimethylbenzene. The report is intended to document remediation of the site to meet the site-specific standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

Former Childs Train Yard, Meredith Street, Carbondale, PA 18407, Carbondale Township, **Lackawanna County**. Quad 3 Group, 37 North Washington Street, Wilkes-Barre, PA 18701, on behalf of Lackawanna Heritage Valley Authority, 213 Railroad Ave, Scranton, PA 18505, submitted a Final Report concerning remediation of soil contaminated by lead from historic operations as a rail yard. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on February 10, 2022.

Bell Gate Farm, 7018 Bell Gate Road, Coopersburg, PA 18036, Lower Milford Township, **Lehigh County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Suburban Propane Partners, L.P., P.O. Box 4833, Syracuse, NY 13221, 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 14, 2022.

Stabler Center-Parcel 12, Center Valley Parkway and Old Bethlehem Pike, Center Valley, PA 18034, Upper Saucon Township, **Lehigh County**. Pennoni, 1900 Market St, Suite 300, Philadelphia, PA 19103, on behalf of Lehigh University, 306 S New Street, Suite 428, Bethlehem, PA 18105, submitted a revised, combined Remedial Investigation Report, Risk Assessment, and Cleanup Plan concerning remediation of soil contaminated with metals from historic mining operations. The report was approved by DEP on February 14, 2022.

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.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

GP3-53-116B: North Penn Supply Quarries, LLC, 115 North East Street, Coudersport, PA 16915, on January 28, 2022, received authorization to construct and operate one (1) Sandvik model QJ341 crusher rated at rated at 350 tons per hour (tph), and one (1) McCloskey model S190 screener rated at 400 tph pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Watson 1 Quarry located in Sweden Township, **Potter County**.

GP9-53-116B: North Penn Supply Quarries, LLC, 115 North East Street, Coudersport, PA 16915, on January 28, 2022, received authorization to construct and operate one (1) 275 bhp capacity Caterpillar model C9 diesel-fired engine and one (1) 131 bhp capacity Caterpillar model C4.4 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines

(BAQ-GPA/GP-9) at the Watson 1 Quarry located in Sweden Township, **Potter County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

18-00011M: Croda, Inc., 8 Croda Way, Mill Hall, PA 17751, on February 2, 2022, for the removal of the existing methyl chloride thermal oxidizer, water quench, and hydrochloric acid scrubber and the installation of a new regenerative thermal oxidizer (RTO), water quench assembly, and packed bed acid gas control scrubber to control VOC and HAP emissions generated from the manufacture of quaternary ammonium and methylation products at the Mill Hall Facility located in Bald Eagle Township, **Clinton 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.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

47-00001H: Montour, LLC, P.O. Box 128, Washingtonville, PA 17884, on February 8, 2022, to extend the authorization to perform the construction pursuant to the plan approval from March 2, 2022 to June 30, 2023, at their Montour Steam Electric Station located in Derry Township, **Montour County**. The plan approval has been extended.

9-00001C: Autoneum North America, Inc., 480 West Fifth Street, Bloomsburg, PA 17815, on February 8, 2022, to extend the authorization to replace the 77 million Btu per hour natural gas-fired burner with an 81million Btu per hour natural gas-fired burner in Source 033 at the Bloomsburg Plant facility located in the Town of Bloomsburg, **Columbia County**, to August 15, 2022. The plan approval has been extended.

14-00003K: Pennsylvania State University, 101P Physical Plant Bldg, University Park, PA 16802, on February 11, 2022, to extend the authorization to operate the source pursuant to the plan approval an additional 180 days from February 15, 2022 to August 14, 2022, at their University Park Campus located in College Township, **Centre County**. The plan approval has been extended.

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

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

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

13-00005: ITG Cigars, Inc., 1000 Tresckow Road, McAdoo, PA 18237-2504. The Department issued, on February 9, 2022, a Title V Operating Permit renewal for operation of sources at a tobacco sheeting, soap film, and denture adhesive ingredient manufacturing facility in Banks Township, **Carbon County**. The Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

49-00040: White Flyer Targets, LLC, 145 Happy Hollow Road, Coal Township, PA 17866, on February 3, 2022, was issued a renewal State Only (Natural Minor) Operating Permit for their facility in Coal Township, **Northumberland County**. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

12-00006: Lewis & Hockenberry, Inc., 4725 Rich Valley Road, Emporium, PA 15834, on February 3, 2022, was issued a renewal State Only (Natural Minor) Operating Permit for their facility in Shippen Township, **Cameron County**. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

10-00027: Calumet Karns City Refining, LLC, 138 Petrolia Street, Karns City, PA 16041-9222. On February 9, 2022, the Department issued an administrative amendment to the Title V Operating Permit to incorporate the requirements of Plan Approval 10-027H into the permit for the facility located in Karns City Borough, **Butler County**.

20-00040: Advanced Cast Products, 18771 Mill Street, Meadville, PA 16335-3644. The Department on February 7, 2022, issued an administrative amendment of the State Only Operating Permit for the facility to incorporate the conditions of Plan Approval 20-040L. The facility is located in Vernon Township, **Crawford County**.

20-00123: Lord Corporation Cambridge Springs, 124 Grant Street, Cambridge Springs, PA 16403-1014. On January 31, 2022 the Department issued an administrative amendment to the State Only Operating Permit to incorporate the change in responsible for the facility located in Cambridge Springs Borough, **Crawford County**.

25-00360: Electric Materials Company, 50 South Washington Street, North East, PA 16428-1539. On January 27, 2022, the Department issued an administrative amendment to the State Only Natural Minor Operating Permit for the facility located in North East Borough, **Erie County**. The amendment incorporates the change of responsible official and permit contact.

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

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

Mining Permit 56090106 and NPDES No. PA0262765. Mountaineer Mining Corp., 1010 Garrett Shortcut Road, Berlin, PA 15530, renewal for the continued operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 105.5 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: CWF. Application received: August 27, 2021. Permit issued: February 8, 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. 54643034. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renewal of an anthracite surface mine and coal refuse disposal operation in Cass Township, **Schuylkill County**, affecting 42.0 acres. Receiving stream: West Branch Schuylkill River. Application received: March 16, 2020. Renewal issued: February 8, 2022.

Permit No. PAM113024. Reading Anthracite Company, P.O. Box 1200, Pottsville, PA 17901, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP-GP-104) on Surface Mining Permit No. 54643034 in Cass Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: March 16, 2020. Coverage issued: February 8, 2022.

Noncoal Permits Issued

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

Permit No. 08100304 and NPDES PA0257435. Austin's Excavating & Paving, Inc., 121 Talmadge Hill West, Waverly, NY 14892. Permit transfer of an existing large noncoal surface mining site located in Pike Township, **Bradford County**, affecting 40.6 acres. Transfer of permit from Insinger Excavating, Inc. Receiving stream(s): Unnamed Tributary 1 to Ross Creek classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 28, 2020. Permit Issued: February 8, 2022.

Permit No. 41990301. Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803. Permit revision to expand to the Southwest on an adjacent 0.14 acre, including a request for a variance to conduct support activities within 100 feet of Hagerman's Run on a Large Noncoal Industrial Minerals mine located in Armstrong Township, **Lycoming County**, affecting 44.21 acres. Receiving stream(s): Hagerman's Run classified for the following use(s): EV, CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: August 10, 2021. Permit Issued: February 8, 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. 58210301. Powers Stone, Inc., 15644 SR 267, Montrose, PA 18801, commencement, operation and restoration of a quarry operation in Middletown Township, **Susquehanna County**, affecting 44.3 acres. Receiving stream: unnamed tributary to Baldwin Creek. Application received: January 27, 2021. Permit issued: February 11, 2022.

Permit No. PAM121007. Powers Stone, Inc., 15644 SR 267, Montrose, PA 18801, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on Surface Mining Permit No. 58210301 in Middletown Township, **Susquehanna County**, receiving stream: unnamed tributary to Baldwin Creek. Application received: January 27, 2021. Coverage issued: February 11, 2022.

Permit No. PAM122005. Ronald R. Carter, Jr., 735 Carter Road, Montrose, PA 18801, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on Surface Mining Permit No. 58140803 in Dimock Township, **Susquehanna County**, receiving stream: unnamed tributary to Burdick Creek. Application received: January 3, 2022. Coverage issued: February 10, 2022.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 36224104. Douglas Explosives, Inc., 2052 Philipsburg Bigler Highway, Philipsburg, PA 16866, construction blasting for Devon Creek Project in East Lampeter Township, **Lancaster County**, with an expiration date of December 30, 2022. Permit issued: February 9, 2022.

Permit No. 40224103. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Eagle Rock Resort in Black Creek, Hazle and North Union Townships, **Luzerne** and **Schuylkill Counties**, with an expiration date of April 30, 2024. Permit issued: February 9, 2022.

Permit No. 67224101. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Cubes at Locust Point Warehouse in Conewago Township, **York County**, with an expiration date of January 25, 2023. Permit issued: February 11, 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. E1501221-014, DeLuca Signature, L.P., 370 East Maple Avenue, Suite 101, Langhorne, PA 19047, Wallace Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Ferguson Preserve Project and are listed as follows:

1. To excavate and construct a temporary road crossing and install (jack and bore) and maintain a 4" sanitary sewer force main crossing the Unnamed Tributary to East Branch of Brandywine Creek (HQ, TSF, MF) resulting in 362 linear feet (5,380 sq ft, 0.12 acre) of temporary floodway impact.

2. To excavate and construct a temporary road crossing and install (jack and bore) and maintain a 4" sanitary sewer force main crossing the Unnamed Tributary to East Branch of Brandywine Creek (HQ, TSF, MF) resulting in 16 linear feet (160 sq ft, 0.004 acre) of temporary watercourse impact.

This project is located at 801 Marshall Road, Glenmoore (USGS PA Downingtown; Wagontown Quadrangle—Latitude: 40.082420 N, Longitude: -75.749707 W) in Wallace Township, Chester County. Permit issued: February 11, 2022.

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

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

E4002221-016. 1852 Wyoming, LLC, 28 Thorndal Circle, 3rd Floor, Darien, CT 06820, Wyoming Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Cloud 10 Carwash project:

1. A fill within the 1.6 acres of the floodway of Abraham's Creek (CWF, MF) consisting of the construction of a 3,600 ft² building, an automated car wash building, parking lot, and two (2) access roads adjoining Wyoming Avenue (S.R. 11). This impact does not propose any new fill within the floodway.

2. A stormwater outfall within the floodway of Abraham's Creek (CWF, MF) consisting of a 159-LF, 12-inch diameter perforated HPDE level spreader.

3. A utility line crossing within the floodway of Abraham's Creek (CWF, MF) consisting of a 4-inch diameter PVC sanitary sewer force main.

4. A utility line crossing within the floodway of Abraham's Creek (CWF, MF) consisting of a 2-inch diameter copper water line.

5. A utility line crossing within the floodway of Abraham's Creek (CWF, MF) consisting of a 4-inch diameter, concrete-encased underground PVC electric conduit.

6. A utility line crossing within the floodway of Abraham's Creek (CWF, MF) consisting of a 2-inch diameter PVC natural gas pipe.

The project is located at 2004 Wyoming Avenue in Wyoming, approximately 0.1 mile northeast of the intersection of Stites Street and Wyoming Avenue (Pittston, PA Quadrangle Latitude: 41° 18' 4"; Longitude: -75° 51' 19") in Wyoming Borough, Luzerne County.

Northcentral Region: Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E1404220-021: Wildlife for Everyone Endowment Foundation, 341 Science Park, State College, PA 16801. Tom Ridge Tract, Huston Township, **Centre County**, U.S. Army Corps of Engineers Baltimore District (Julian Quadrangle; Latitude 40° 50' 23"; -77° 59' 30").

The applicant is authorized to construct and maintain handicap accessibility site improvements along Bald Eagle Creek (TSF) to include a road, parking lot, pavilion, restroom, elevated trail, at-grade trail, observation blinds and stream access. The project proposes the following permanent aquatic resource impacts: .002-acre direct wetland impact; 002-acre direct watercourse impact, and .12-acre direct floodway impact.

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

Contact: Robert Marquez, Senior Project Manager, telephone number, 570-327-3636.

Permit No. E6629221-006, Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840-1567, Freshwater Impoundment and associated infrastructure. Brooks Hill Road, City of Meshoppen, **Wyoming County**; ACOE, Baltimore Office.

To construct, operate, and maintain:

1. a temporary wetland impact from construction activities impacting 15,028 square feet (0.34 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 39", Longitude: -75° 57' 55"),

2. a temporary wetland impact from construction fill activities impacting 174 square feet (0.01 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 39", Longitude: -75° 57' 55"),

3. a temporary wetland impact from construction activities impacting 348 square feet (0.01 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 39", Longitude: -75° 57' 56"),

4. a temporary wetland impact from construction activities impacting 1,002 square feet (0.02 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 30", Longitude: -75° 58' 01"),

5. a temporary wetland impact from construction activities impacting 2,483 square feet (0.06 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 35", Longitude: -75° 57' 58"),

6. a permanent wetland impact from construction fill activities impacting 10,716 square feet (0.25 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 35", Longitude: -75° 57' 58"),

7. a permanent wetland impact from construction fill activities impacting 18,905 square feet (0.43 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 35", Longitude: -75° 57' 58"),

8. a temporary wetland impact from wetland restoration activities impacting 15,547 square feet (0.36 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 39", Longitude: -75° 57' 55"),

9. a temporary wetland impact from wetland restoration activities impacting 600 square feet (0.01 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 39", Longitude: -75° 57' 56"),

10. a temporary wetland impact from wetland restoration activities impacting 3,507 square feet (0.08 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 30", Longitude: -75° 57' 59"),

11. a temporary wetland impact from wetland restoration activities impacting 2,758 square feet (0.06 acre) of Palustrine Emergent Wetlands (PEM) (Springville, PA Quadrangle; Latitude: 41° 38' 30", Longitude: -75° 58' 00").

The Wyom 5—Gustin Frac Pond, located in Washington Township, Wyoming County, seeks after-the-fact authorization in accordance with the Consent Decree Chesapeake Appalachia, LLC entered into with the U.S. Environmental Protection Agency and the PA Department of Environmental Protection on May 20, 2021. Prior unauthorized impacts resulted in 19,035 square feet (0.44 acre) of temporary PEM wetland impacts and 29,621 square feet (0.68 acre) of permanent PEM wetland impacts. Wetland restoration activities will result in 22,412 square feet (0.51 acre) of temporary PEM wetland impacts to restore and mitigate for prior activities adjacent to the Freshwater Impoundment and supporting infrastructure.

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 # ESG18-059-0035
Applicant Name EQT Production Company
Contact Person Todd Klaner
Address 400 Woodcliff Drive
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Center
Receiving Stream(s) and Classification(s) UNTs to McCourtney Run (HQ-WWF), South Fork Tenmile Creek (HQ-WWF); McCourtney Run (HQ-WWF), Tenmile Creek (WWF)

ESCGP-3 # ESG076521012-00
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) Tributary 42917 of Pine Run (WWF); Pine Run (WWF)

ESCGP-3 # ESG076321016-00, NIAMS009
Pipeline Project Applicant Name EQM Gathering OPCO, LLC
Contact Person Michael Provencher
Address 2200 Energy Dr
City, State, Zip Cannonsburg, PA 15317
County Washington
Township(s) Amwell Township
Receiving Stream(s) and Classification(s)
UNT to Bane Creek (TSF) Secondary Bane Creek (TSF)

Northwest Region: Oil & Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481.

ESCGP-3 # ESG080321005-00
Applicant Name Snyder Bros, Inc.
Contact Person David Snyder
Address P.O. Box 1022 One Glade Park East
City, State, Zip Kittanning, PA 16201
County Armstrong
Township(s) Redbank
Receiving Stream(s) and Classification(s) UNT to Mahoning Creek, (CWF), Mahoning Creek WWF
Secondary; Mahoning Creek (WWF), Allegheny River (WWF)

ESCGP-3 # ESG080321004-00/Callen Well Pad
Applicant Name Snyder Bros, Inc
Contact Person Dave Snyder
Address P.O. Box 1022; One Glade Park East
City, State, Zip Kittanning, PA 16201
County Armstrong
Township(s) East Franklin
Receiving Stream(s) and Classification(s) UNT to Allegheny WWF UNT to Limestone Run WWF

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

ESCGP-3 # ESG290821073-00
Applicant Name Chief Oil & Gas, LLC
Contact Person Jeffrey J. Deegan
Address 1720 Sycamore Road
City, State, Zip Montoursville PA 17754

County Bradford
Township(s) Franklin
Receiving Stream(s) and Classification(s) Falls Creek (HQ—CWF, MF)
Secondary: Schrader Creek (HQ—CWF, MF)

ESCGP-3 # ESG295821036-00
Applicant Name Williams Field Services Co, LLC
Contact Person Jayme Stotka
Address 2000 Commerce Drive
City, State, Zip Pittsburgh, PA 15275
County Susquehanna
Township(s) Lenox
Receiving Stream(s) and Classification(s) Tower Branch # 3850 (NRT), Partners Creek # 6318 (CWF, MF)

ESCGP-3 # ESG295721007-00
Applicant Name EXCO Resources (PA), LLC
Contact Person John Sink
Address 12377 Merit Drive Suite 1700
City, State, Zip Dallas TX 75251
County Sullivan
Township(s) Davidson
Receiving Stream(s) and Classification(s) UNT to Muncy Creek (EV)
Secondary: Muncy Creek (EV)

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

Contact: Dana Drake.

ESCGP-3# ESG050420001-01
Applicant Name Marathon Pipe Line, LLC
Contact Person Laura McKee
Address 539 South Main Street
City, State, Zip Findlay, OH 45840
County Beaver
Township(s) Midland, Industry, and Beaver
Receiving Stream(s) and Classification(s) Wolf Run (WWF), UNT's TO Wolf Run (WWF), Six Mile Run (WWF), UNT's to Six Mile Run (WWF), Four Mile Run (WWF), UNT's to Four Mile Run (WWF), Mudlick Run (WWF), UNT's to Mudlick Run (WWF), UNT'S to Ohio River, UNT's to Two Mile Run (WWF)

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plans and Reports Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the

environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

DEP has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

4260 West Tilghman Realty, Storage Tank ID # 39-41532, 4260 West Tilghman Street, Allentown, PA 18104, South Whitehall Township, **Lehigh County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of 4260 West Tilghman Realty, LLC, 4101 River Road, Allentown, PA 18104, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet a combination of Site-Specific and Statewide health standards.

JL Market, Storage Tank ID # 40-50901, 7896 Blue Ridge Trail, Wapwallopen, PA 18660, Dorrance Township, **Luzerne County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Karunesh Prop, Inc., 7896 Blue Ridge Trail, Wapwallopen, PA 18660, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting Statewide Standards.

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

Contact: Gregory Bowman, Environmental Group Manager.

7 Eleven 28214, Storage Tank Facility ID # 01-11698, 403 Lincoln Way West, New Oxford, PA 17350-1005, New Oxford Borough, **Adams County**, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., 3200 Hackberry Road, P.O. Box 711 (0148), Dallas, TX 75221-0711 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document the remedial actions for meeting the site-specific standards. Contact: Gregory Bowman, Environmental Group Manager.

Claysburg Garage, Storage Tank Facility ID # 07-61263, 1512 Park Road, Claysburg, PA 16625, Greenfield Township, **Blair County**, Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823 on behalf of A&M Transit, P.O. Box 331, Ebensburg, PA 15931, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Contact: Kim Bontrager, Clerk Typist 3.

Fueland 214, Storage Tank Facility ID # 10-90433, 704 S. Pike Road, Sarver, PA 16055-9543, Buffalo Township, **Butler County**, Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Superior Petroleum Company, 8199 McKnight Road, Pittsburgh, PA 15327-5749, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, total xylenes, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene and methyl tert-butyl ether. The plan is intended to document the remedial actions for meeting the Statewide health standard.

SPECIAL NOTICES

WASTE MANAGEMENT

BENEFICIAL USE OF COAL ASH AS STRUCTURAL FILL

Proposal(s) to use coal ash as structural fill received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Scrubgrass Generating Company L.P. (Scrubgrass), 2151 Lisbon Road, Kennerdell, PA 16374, Scrubgrass Township, **Venango County**, proposes to place coal ash on site as structural fill to provide a support area for the placement of containers and transformers that will conduct data mining operations. The proposed final grade will produce a relatively flat area. Signage and fencing will be added to restrict public access for security, safety and environmental concerns. The Department's Regional Office has determined the proposal is consistent with the requirements of 25 Pa. Code § 290.102.

Persons interested in obtaining more information about the proposal may contact Christina S. Wilhelm, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 at 814.332.6848. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, 800.654.5984.

[Pa.B. Doc. No. 22-319. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.depgreenport.state.pa.us/elibrary/. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

Interim Final TGD: New Guidance

DEP ID: 258-2182-774. **Title:** Utilizing Published Data in Performing a Background Demonstration and Equivalent Site Evaluation for Naturally Occurring Vanadium. **Description:** The current clean fill concentration limit for vanadium established by the Department's Management of Fill Policy, Document # 258-2182-773, is below what is typically found in naturally occurring soils in this Commonwealth and surrounding states. The purpose of this interim final technical guidance document is to identify data that represents background vanadium concentrations in soil and use the statistical method suggested by the Management of Fill Policy to develop regional background concentrations to be used in making fill determinations. Use of the established regional background concentration can satisfy the procedures for collecting additional samples and data in performing a background determination and equivalent site evaluation outlined in the Management of Fill Policy.

Written Comments: Interested persons may submit written comments on this interim final TGD through Wednesday, April 27, 2022. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment for Policies at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Technical Guidance Coordinator, Depart-

ment of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Kevin Beer at kbeer@pa.gov or (717) 787-6052.

Effective Date: February 26, 2022

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-320. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Citizens Advisory Council Meeting Cancelled

The March 15, 2022, meeting of the Citizens Advisory Council (Council) is cancelled. The next regular meeting of the Council is scheduled for Tuesday, April 19, 2022. The meeting will begin at 12:30 p.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 an agenda and meeting materials, will be available on the Council'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 "Citizens Advisory Council," then "Meetings").

Individuals are encouraged to visit the Council's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the April 19, 2022, meeting can be directed to Keith Salador at ksalador@pa.gov or (717) 787-8171.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-8171 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. 22-321. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Household Hazardous Waste Education Grant Awards under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988

The Department of Environmental Protection announces the following grants to Centre County and Luzerne County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste (HHW) and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offerings can be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at mvottero@pa.gov or (717) 772-5719.

Act 101, Section 901 HHW Education Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Northeast	Luzerne	Luzerne County	HHW Education	\$32,498
Northcentral	Centre	Centre County	HHW Education	\$75,000

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-322. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Planning Grant Awards under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988**

The Department of Environmental Protection announces the following grants to Elk County and Indiana County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offerings can be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at mvottero@pa.gov or (717) 772-5719.

Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Northwest	Elk	Elk County	Plan Revision	\$66,140
Northwest	Indiana	Indiana County	Plan Revision	\$65,853

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-323. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Proposed Medium and Heavy-Duty Zero Emission Vehicle Pilot Grant Program; Request for Information**

The Department of Environmental Protection (Department) issues this Request for Information (RFI) on the development of a new competitive grant solicitation to support a Medium and Heavy-Duty (MHD) Zero Emission Vehicle (ZEV) Pilot Program (Program). Funding for the Program may be offered as part of the Driving PA Forward Program as an eligible mitigation action of the onroad fleet project type as described in the Commonwealth's Beneficiary Mitigation Plan under the Environmental Mitigation Trust Agreement for State Beneficiaries in the case *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*.

The publication of this RFI does not constitute or necessitate a change to the Commonwealth's Beneficiary Mitigation Plan. This RFI is intended for respondents to provide comment on the information specified in this notice. This RFI is also intended to communicate the Department's general goals and objectives for Program development. This RFI does not constitute a grant solicitation, nor does it represent a commitment to issue a grant solicitation in the future. This RFI does not commit the Department to any specific form of grant solicitation. Responding to this RFI is not a pre-requisite for participation in a future grant solicitation process. Persons and organizations who choose to not respond to this RFI may still participate in any subsequent grant solicitation process for the Program. Respondents choosing to respond to this RFI will not, merely by submitting such a response, be deemed to be applicants to any Driving PA Forward grant program, and no such respondent will have any preference, special designation, advantage or disadvantage whatsoever in any subsequent grantmaking process for the Program or other Driving PA Forward programs. Respondents should not anticipate a response from the Department regarding submitted materials.

The proposed outcomes of the Program include: improving air quality as a result of lowered vehicle emissions; improving air quality in one or more environmental justice areas; benefitting the electric vehicle supply chain in this Commonwealth; providing fleet managers with ZEV performance data; and increasing MHD ZEV purchases in this Commonwealth.

The Department requests information on the following topics to inform the development of program solicitation guidelines for the Program:

1. What additional goals or priorities should the Program seek to accomplish?

2. What data generated from MHD ZEV pilot projects funded by this Program would be useful to fleet managers and other stakeholders to encourage MHD ZEV adoption, and what methods should be used to disseminate information?

3. What amount of project funding for new vehicle and charging infrastructure would be necessary to incentivize near term MHD ZEV pilot projects to be deployed in the Commonwealth? Furthermore, should maximum Program funding award amounts be based on one or more of the following factors? Indicate why.

a. The percentage of incremental vehicle purchase costs.

b. A fixed amount per vehicle based on vehicle type, fuel type and class size.

c. A percentage of the infrastructure installation cost.

d. Vehicle miles traveled, annual operating hours or some other metric that accounts for usage.

e. Another factor not listed in this RFI.

4. The Driving PA Forward program requires that a pre-2010 diesel vehicle of the same class be scrapped for each new vehicle purchased. What methods could the Department allow for applicants to satisfy the scrappage requirement established in Appendix D-2 of the Volkswagen Settlement (available at <https://www.vwcourtsettlement.com/en/docs/DOJ/Approved%20Appendix%20D-2.pdf>)? Provide examples of solutions implemented in other states, if possible.

5. Should the Program focus on specific vehicle classes and types or should the pilot program include all class 4—8 ZEVs without preference?

6. Should the Program provide preference to one or more specific vehicle usage types (such as delivery, utility or refuse vehicles)?

7. Should the Department establish a minimum number of zero emission fleet vehicles for a pilot project to be eligible for the Program or require the applicant to transition a minimum percentage of the applicant's fleet, or both? If so, what minimum vehicle count or fleet percentage should be considered?

8. Should the Program give preference to or require that ZEVs or vehicle charging equipment be partially or wholly produced in the United States or in this Commonwealth? If yes, how should this be documented and confirmed?

9. How should the Program encourage or give preference to projects that provide significant benefits to Environmental Justice Areas? What metrics should be used to measure project benefits to Environmental Justice Areas?

10. Should the Program incorporate preferences based on applicant type (for example: municipal, for-profit or nonprofit)?

11. Should applicants for a MHD ZEV pilot project include a plan to use operational savings from pilot vehicle project to invest in additional ZEV purchases? If yes, what components and commitments should the plan contain?

12. Should applicants for a MHD ZEV pilot project include a plan to share project performance data with stakeholders such as fleet managers in this Commonwealth? If yes, what outreach methods should the plan contain?

13. What specific reporting should the Department require from Program funding recipients?

14. What other program details, requirements or flexibilities should the Department incorporate into the Program?

Interested persons may submit information by e-mail at ra-epvwmitigation@pa.gov. Information must be received no later than Monday, March 28, 2022. Use "Request for Information: Proposed Medium and Heavy-Duty Zero Emissions Vehicle Pilot Grant Program" as the subject line in written communication.

Questions concerning this RFI should be directed to David Althoff at dalthoff@pa.gov or (717) 783-0542.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-324. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Water Plan Update; Public Hearings for Regional Water Resources Committees

The six Regional Water Resources Committees for the update of the State Water Plan will each hold a public hearing for the purpose of soliciting input on drafts of the regional plan components. These hearings will be held in a hybrid format with virtual and in-person participation options. Hearings will be held on Friday, March 11, 2022, Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA at the times listed as follows:

Delaware Water Resources Regional Committee: 9 a.m.—10 a.m.

Lower Susquehanna Water Resources Regional Committee: 10 a.m.—11 a.m.

Potomac Water Resources Regional Committee: 11 a.m.—12 p.m.

Ohio Water Resources Regional Committee: 1 p.m.—2 p.m.

Great Lakes Water Resources Regional Committee: 2 p.m.—3 p.m.

Upper/Middle Susquehanna Water Resources Regional Committee: 3 p.m.—4 p.m.

Information on how to access the hearings virtually will be available on each Committee's webpage, found on the

Department of Environmental Protection's web site at www.dep.pa.gov/Business/Water/PlanningConservation/StateWaterPlan/Committees/Pages/default.aspx (or use search term "State Water Plan Committees"). Individuals are encouraged to visit the Committee's webpage to confirm hearing date, time, location and the most current information prior to each hearing.

Persons wishing to present testimony at a hearing must contact James Horton at (717) 783-2285 or RA-StateWaterPlan@pa.gov at least 24 hours in advance of the hearing to reserve a time to present testimony. Language interpretation services are available upon request. Persons in need of language interpretation services must contact James Horton by 5 p.m. on March 3, 2022.

Registration to present testimony at a hearing is on a first-come, first-served basis. To help provide interested persons with an opportunity to present testimony, organizations are limited to designating one witness to present testimony on their behalf at one of the hearings. Verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses will not be permitted.

Witnesses are requested to submit a written copy of their verbal testimony by e-mail to RA-StateWaterPlan@pa.gov after providing testimony at the hearing.

Members of the public wishing to observe the public hearing without providing testimony are also directed to access the Committee's webpage. The public hearings may be accessed by attending the meeting in person or by means of telephone or Internet connection. Those who attend virtually and have not registered with James Horton in advance as described previously will remain muted for the duration of the public hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Committee at (717) 783-2285 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Committee may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-325. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Advisory Health Board Meeting

The Advisory Health Board, established under sections 448(f) and 2111 of The Administrative Code of 1929 (71 P.S. §§ 158(f) and 541), will hold a meeting on Wednesday, March 16, 2022, from 2 p.m. to 3 p.m.

To call in by means of Microsoft Teams, dial (267) 332-8737 and when prompted, enter Conference ID 166618627#. Individuals may also join the meeting by video at https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzFiNmE5M2MtMmZjZS00MTBkLWJkY2ItZWQ5M2UwNjIxMTIz%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%2245d9a1e5-e0fe-4592-8346-a2fead3ef6af%22%7d.

The meeting will be to discuss programmatic and departmental activities.

For additional information or for persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so, contact Faith Haeussler, Director of Intergovernmental Affairs at (717) 736-9402. Speech and/or hearing-impaired persons use V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

These meetings are subject to cancellation without notice.

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-326. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Pennwood Nursing and Rehabilitation Center, LLC
909 West Street
Pittsburgh, PA 15221
Facility ID # 016002

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(b) (relating to utility room):

Dock Terrace
275 Dock Drive
Lansdale, PA 19446
Facility ID # 044402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Dock Terrace
275 Dock Drive
Lansdale, PA 19446
Facility ID # 044402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

The Villa Crest, LLC
1451 Frankstown Road
Johnstown, PA 15902
Facility ID # 24720201

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed 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 the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-327. Filed for public inspection February 25, 2022, 9:00 a.m.]

**DEPARTMENT OF
HUMAN SERVICES**

Fee Schedule Rates and Department-Established Fees for Services Funded Through the Office of Developmental Programs' Adult Autism Waiver

The Department of Human Services (Department) is providing final notice of the Fee Schedule Rates and Department-Established Fees for services funded through the Adult Autism Waiver. The rates are effective July 1, 2021.

Background

Under 55 Pa. Code § 6100.571 (relating to fee schedule rates), which was effective October 5, 2019, the Department

is required to update the data used in establishing the fee schedule rates at least every 3 years. The Department has reviewed and revised its rates for Adult Autism Waiver services to comply with this requirement as well as to comply with the requirement in the Home and Community-Based Waiver Instructions, Technical Guide and Review Criteria to ensure at a minimum of every 5 years that rates are adequate to maintain an ample provider base and ensure quality of services.

Fee Schedule Rates and Department-Established Fees

The proposed Fee Schedule Rates and Department-Established Fees for Adult Autism Waiver services were published at 52 Pa.B. 98 (January 1, 2022). The Department received comments from ten stakeholders regarding the proposed changes to the Fee Schedule Rates and Department-Established Fees. A summary of the comments received and the Department's responses are available at <https://www.dhs.pa.gov/providers/Providers/Documents/ODP/Public%20Notices%20Related%20to%20Rates/AAW%20Rate%20Comment%20and%20Response%20Summary%20Placeholder.pdf>. After reviewing the comments on the proposed rates, the Department determined that no changes were necessary to the Fee Schedule Rates or Department-Established Fees for services funded through the Adult Autism Waiver.

The final Fee Schedule Rates and the Department-Established Fees represent the maximum rates the Department will pay for each service. The final Fee Schedule Rates and the Department-Established Fees are included in the following tables and can also be found online at <https://www.dhs.pa.gov/providers/Providers/Pages/ODP-Rates.aspx>.

FEE SCHEDULE RATES FOR ADULT AUTISM WAIVER SERVICES EFFECTIVE JULY 1, 2021

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>		<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Day Habilitation		>1:6	W7063	\$3.34
		<1:6—1:3.5	W7064	\$4.04
		<1:3.5—>1:1	W7065	\$6.30
		1:1	W7066	\$12.39
Residential Habilitation	Community Home	Light	W7228	\$153.52 (per day)
		Limited	W7229	\$215.54 (per day)
		Extensive	W7230	\$281.34 (per day)
		Intensive	W7231	\$546.13 (per day)
		Intensive +	W7232	\$644.82 (per day)
	Life Sharing	Low	W7052	\$165.06 (per day)
		Medium	W7054	\$200.44 (per day)
		High	W7053	\$235.81 (per day)

<i>Service Name</i>		<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Specialized Skill Development	Behavioral Specialist (Plan Development)	1:1	96156	\$1,750.61 (per unit)
	Behavioral Specialist (Consult)	1:1	96171	\$21.88
	Behavioral Specialist (Direct)	1:1	96159	\$21.88
	Systematic Skill Building (Plan Development)	1:1	W7214	\$610.82 (per unit)
	Systematic Skill Building (Consult)	1:1	W7216	\$17.61
	Systematic Skill Building (Direct)	1:1	W7215	\$17.61
	Community Support		1:1	W7201
1:2			W7204	\$6.23
1:3			W7205	\$4.46
Small Group Employment		< 1:6 to > 1:3.5	W0012	\$3.11
		< 1:3.5 to > 1:1	W0011	\$4.55
Supported Employment	Intensive Job Coaching (Direct)	1:1	W7200	\$18.64
	Intensive Job Coaching (Indirect)	1:1	W7207	\$18.64
	Extended Employment Supports (Direct)	1:1	W7206	\$18.64
	Extended Employment Supports (Indirect)	1:1	W7202	\$18.64
Career Planning	Vocational Assessment	1:1	W7071	\$18.64
	Job Finding	1:1	W7077	\$18.64
Therapies	Counseling	1:1	T2025	\$22.38
	Speech/Language	1:1	T2025	\$23.56
Nutritional Consultation		1:1	S9470	\$17.48
Family Support		1:1 without participant present	90846	\$19.49
		1:1 with participant present	90847	\$19.49
		Other	H0046	\$19.49
Day unit Respite	Licensed Out-of-Home	All staffing levels	W7211	\$280.06 (per day)
	Unlicensed Out-of-Home	All staffing levels	W9495	\$214.64 (per day)
15-minute unit Respite	In-Home	1:1	W7213	\$9.60
	Licensed Out-of-Home	All staffing levels	W7212	\$7.00
	Unlicensed Out-of-Home	All staffing levels	W9596	\$5.37
Supports Coordination	Plan Development	1:1	W7199	\$1,107.67 (per unit)
	Ongoing	1:1	T2024	\$23.77
Transportation—Trip		Zone 1	W7274	\$18.83
		Zone 2	W7275	\$33.85
		Zone 3	W7276	\$50.46
Temporary Supplemental Services		1:1	W7236	\$11.82

DEPARTMENT-ESTABLISHED FEES FOR RESIDENTIAL HABILITATION SERVICES THROUGH THE ADULT AUTISM WAIVER EFFECTIVE JULY 1, 2021

Rates in the table are per day.

<i>Service</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Licensed Residential Habilitation (Community Homes)—Ineligible	All staffing levels	W7233	\$35.06

Copies of this notice may be obtained by contacting the Bureau of Supports for Autism and Special Populations at P.O. Box 2675, Harrisburg, PA 17105, RA-odpautismwaiver@pa.gov.

Fiscal Impact

It is anticipated that there will be a total cost to the Commonwealth in Fiscal Year (FY) 2021-2022 of \$9.378 million (\$4.013 million in State funds). In FY 2022-2023, the cost is \$9.378 million (\$4.485 million in State funds). For FY 2023-2024 and subsequent years the total cost is \$9.378 million (\$4.501 million in State funds).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1498. (1) General Fund; (2) Implementing Year 2021-22 is \$4,013,000; (3) 1st Succeeding Year 2022-23 is \$4,485,000; 2nd Succeeding Year 2023-24 through 5th Succeeding Year 2026-27 are \$4,501,000; (4) 2020-21 Program—\$27,262,000; 2019-20 Program—\$25,252,000; 2018-19 Program—\$30,842,000; (7) Autism Intervention and Services; (8) recommends adoption. Funds have been included in the budget.

[Pa.B. Doc. No. 22-328. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Fee Schedule Rates and Department-Established Fees for Services Funded Through the Office of Developmental Programs' Consolidated, Community Living and Person/Family Directed Support Waivers and the Community Intellectual Disability Base-Funded Program

The Department of Human Services (Department) is providing final notice of the Fee Schedule Rates and Department-Established Fees for services funded through the Consolidated, Community Living and Person/Family Directed Support (P/FDS) Waivers and the Community Intellectual Disability Base-Funded Program.

The Fee Schedule Rates are effective January 1, 2022, with the exception of the rates for Agency With Choice Financial Management Services (AWC FMS) and direct Community Participation Support services. The Fee Schedule Rates for AWC-FMS will be effective on March 1, 2022. The Fee Schedule Rates for direct Community Participation Support services will be effective 6 months after the expiration of the Federal novel coronavirus (COVID-19) public health emergency and the temporary increases to the Fee Schedule Rates that are currently in place will end. The Department-Established Fees are effective July 1, 2022.

Background

Under 55 Pa. Code § 6100.571 (relating to fee schedule rates), which was effective October 5, 2019, the Department is required to update the data used in establishing the fee schedule rates at least every 3 years. The Department has reviewed and revised its rates for services funded through the Consolidated, Community Living and P/FDS Waivers, as well as the Community Intellectual Disability Base-Funded Program to comply with this requirement and the requirement in the Home and Community-Based Waiver Instructions, Technical Guide and Review Criteria to ensure at a minimum of every 5 years that rates are adequate to maintain an ample provider base and ensure quality of services.

Fee Schedule Rates and Department-Established Fees:

The proposed Fee Schedule Rates and Department-Established Fees for Consolidated, Community Living and P/FDS Waiver services, as well as the Community Intellectual Disability Base-Funded Program were published at 52 Pa.B. 102 (January 1, 2022). The Department received comments from 134 stakeholders regarding the proposed changes to the Fee Schedule Rates and Department-Established Fees. A summary of the comments received and the Department's responses is available at <https://www.dhs.pa.gov/providers/Providers/Documents/ODP/Public%20Notices%20Related%20to%20Rates/IDA%202022%20Rate%20Comment%20and%20Response%20Summary.pdf>. After reviewing the comments on the proposed rates, the Department determined that an increase to the Fee Schedule Rates for the AWC FMS monthly administrative fee from \$285.28 to \$311.68 was necessary to cover staff wages and the costs of implementing participant directed services in accordance with requirements in the approved waivers.

One Fee Schedule Rate was developed for each service. The Fee Schedule Rates are identified under the following categories: Community-Based Services, Agency with Choice Financial Management Services, including benefit allowance and excluding benefit allowance, Community Participation Support Services and Residential Services. The benefit allowance under the Agency with Choice Financial Management Services is provided as an option to include consideration for benefits such as disability insurance, life insurance, retirement savings and paid time off. Two Department-Established Fees were developed for each Residential Habilitation Ineligible service based on geographic costs based on the location where the service is provided.

The final Fee Schedule Rates and the Department-Established Fees represent the maximum rates the Department will pay for each service. The final Fee Schedule Rates and the Department-Established Fees are included in the following tables and can also be found online at <https://www.dhs.pa.gov/providers/Providers/Pages/ODP-Rates.aspx>.

FEE SCHEDULE RATES FOR COMMUNITY BASED SERVICES EFFECTIVE JANUARY 1, 2022

Rates in the table are per 15-minute unit unless otherwise noted.

Service Name		Staffing Level	Procedure Code	Statewide Fee	Enhanced Communication Statewide Fee
Companion		1:3	W1724	\$3.19	\$4.24
		1:2	W1725	\$4.42	\$5.99
		1:1	W1726	\$7.71	\$10.69
Homemaker/Chore		1:1	W7283	\$22.73 (hour)	N/A
		1:1	W7282	\$22.73 (hour)	N/A
In-Home and Community Supports		1:3	W7058	\$4.09	\$5.61
		1:2	W7059	\$5.76	\$8.01
		1:1	W7060	\$10.28	\$14.49
		1:1 enhanced	W7061	\$14.18	\$19.14
		2:1	W7068	\$19.83	\$28.20
		2:1 enhanced	W7069	\$23.74	\$32.85
Older Adult Daily Living Centers		1:1	W7094	\$3.72	\$4.41
Community Participation Support— On Call and Remote Support		N/A	W9400	\$1.64	\$1.78
Small Group Employment		1:10 to 1:6	W7237	\$2.30	\$2.79
		<1:6 to 1:3.5	W7239	\$3.54	\$4.31
		<1:3.5 to >1:1	W7241	\$6.96	\$8.49
		1:1	W7245	\$13.15	\$16.03
Benefits Counseling		1:1	W1740	\$13.36	\$16.09
Supported Employment	Job Finding and Development	1:1	H2023	\$17.91	\$21.53
	Job Coaching and Support	1:1	W9794	\$17.91	\$21.53
		1:2 to 1:4	H2025	\$10.72	\$12.88
	Career Assessment	1:1	W7235	\$17.91	\$21.53
Advanced Supported Employment	Discovery Profile	1:1	W7235	\$3,998.78 (outcome)	\$4,856.22 (outcome)
	Job Acquisition	1:1	H2023	\$3,998.78 (outcome)	\$4,856.22 (outcome)
	Job Retention	1:1	H2025	\$9,597.08 (outcome)	\$11,654.93 (outcome)
Shift Nursing—RN		1:2	T2025	\$9.72	\$12.24
		1:1	T2025	\$19.07	\$24.12
Shift Nursing—LPN		1:2	T2025	\$7.07	\$8.82
		1:1	T2025	\$13.77	\$17.28
Therapies—Physical		1:1	T2025	\$23.96	\$30.43
Therapies—Occupational		1:1	T2025	\$22.74	\$28.87
Therapies—Speech/Language		1:1	T2025	\$21.88	\$27.76
Therapies—Orientation, Mobility, Vision		1:1	W7246	\$20.78	\$26.34
Music Therapy		1:1	G0176	\$17.42	\$22.02
Art Therapy		1:1	G0176	\$17.42	\$22.02
Equine Therapy		1:1	S8940	\$12.12	\$14.78

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Behavioral Supports—Level 1	1:1	W7095	\$22.08	\$27.10
Behavioral Supports—Level 2	1:1	W8996	\$23.66	\$29.90
Communication Specialist	1:1	T1013	\$16.89	\$21.33
Consultative Nutritional Services	1:1	S9470	\$13.96	\$17.56
Family Caregiver Training and Support	1:1 without participant present	90846	\$13.32	N/A
	1:1 with participant present	90847	\$13.32	\$16.73
24-Hour Respite (In-Home Respite and Unlicensed Out-of-Home Respite)	1:4	W9795	\$90.59 (day unit)	\$119.20 (day unit)
	1:3	W9796	\$119.11 (day unit)	\$157.26 (day unit)
	1:2	W9797	\$176.17 (day unit)	\$233.39 (day unit)
	1:1	W9798	\$317.80 (day unit)	\$422.84 (day unit)
	1:1 enhanced	W9799	\$491.89 (day unit)	\$606.23 (day unit)
	2:1	W9800	\$630.98 (day unit)	\$841.06 (day unit)
	2:1 enhanced	W9801	\$805.07 (day unit)	\$1,024.45 (day unit)
15-Minute Respite (In-Home Respite and Unlicensed Out-of-Home Respite)	1:4	W8096	\$2.26	\$2.98
	1:3	W9860	\$2.98	\$3.93
	1:2	W9861	\$4.40	\$5.83
	1:1	W9862	\$7.95	\$10.57
	1:1 enhanced	W9863	\$12.30	\$15.16
	2:1	W9864	\$15.77	\$21.03
	2:1 enhanced	W8095	\$20.13	\$25.61
Supports Broker	1:1	W7096	\$18.02	\$21.44
Supports Coordination	1:1	W7210	\$25.19	N/A
Targeted Supports Management	1:1	T1017	\$25.19	N/A
Housing Transition and Tenancy Sustaining Services	1:1	H0043	\$20.24	\$24.42

AGENCY WITH CHOICE FINANCIAL MANAGEMENT SERVICES, INCLUDING BENEFIT ALLOWANCE, EFFECTIVE MARCH 1, 2022

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 modifier)</i>
In-Home and Community Supports	1:1	W7060	\$7.55	\$9.42
	2:1	W7068	\$15.09	\$18.85

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 modifier)</i>
In-Home and Community Supports—Enhanced	1:1 (Enhanced)	W7061	\$9.66	\$12.15
	2:1 (Enhanced)	W7069	\$14.20	\$17.69
Companion Services	1:1	W1726	\$6.07	\$7.52
In-Home Respite and Unlicensed Out-of-Home Respite Services	1:1	W9862	\$5.18	\$6.36
	2:1	W9864	\$10.35	\$12.72
	1:1	W9798	\$393.09 (day unit)	\$483.32 (day unit)
	2:1	W9800	\$649.80 (day unit)	\$790.73 (day unit)
In-home Respite and Unlicensed Out-of-Home Respite Services—Enhanced	1:1	W9863	\$10.08	\$12.69
	2:1	W8095	\$15.26	\$19.05
	1:1	W9799	\$707.77 (day unit)	\$889.26 (day unit)
	2:1	W9801	\$1,032.67 (day unit)	\$1,284.62 (day unit)
Supported Employment—Career Assessment	1:1	W7235	\$8.53	\$10.69
Supported Employment—Job Finding and Development	1:1	H2023	\$8.53	\$10.69
Supported Employment—Job Coaching and Support	1:1	W9794	\$8.53	\$10.69
Supports Broker	1:1	W7096	\$7.15	\$8.91
Homemaker	1:1	W7283	\$16.73 (per hour)	N/A
Chore	1:1	W7282	\$16.73 (per hour)	N/A
AWC FMS Monthly Administrative Fee	Per Person Per Month	W7319	\$311.68	N/A

AGENCY WITH CHOICE FINANCIAL MANAGEMENT SERVICES, EXCLUDING BENEFIT ALLOWANCE, EFFECTIVE MARCH 1, 2022

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 Modifier)</i>
In-Home and Community Supports	1:1	W7060	\$6.79	\$8.66
	2:1	W7068	\$13.57	\$17.32
In-Home and Community Supports—Enhanced	1:1 (Enhanced)	W7061	\$8.90	\$11.38
	2:1 (Enhanced)	W7069	\$12.67	\$16.16
Companion Services	1:1	W1726	\$5.30	\$6.75
In-Home Respite and Unlicensed Out-of-Home Respite Services	1:1	W9862	\$4.41	\$5.59
	2:1	W9864	\$8.82	\$11.19
	1:1	W9798	\$334.99 (day unit)	\$425.23 (day unit)
	2:1	W9800	\$533.61 (day unit)	\$674.53 (day unit)

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 Modifier)</i>
In-home Respite and Unlicensed Out-of-Home Respite Services—Enhanced	1:1	W9863	\$9.32	\$11.93
	2:1	W8095	\$13.73	\$17.52
	1:1	W9799	\$649.68 (day unit)	\$831.17 (day unit)
	2:1	W9801	\$916.48 (day unit)	\$1,168.84 (day unit)
Supported Employment— Career Assessment	1:1	W7235	\$7.77	\$9.93
Supported Employment— Job Finding and Development	1:1	H2023	\$7.77	\$9.93
Supported Employment— Job Coaching and Support	1:1	W9794	\$7.77	\$9.93
Supports Broker	1:1	W7096	\$6.39	\$8.15
Homemaker	1:1	W7283	\$13.67 (per hour)	N/A
Chore	1:1	W7282	\$13.67 (per hour)	N/A
AWC FMS Monthly Administrative Fee	Per Person Per Month	W7319	\$311.68	N/A

FEE SCHEDULE RATES FOR COMMUNITY PARTICIPATION SUPPORT SERVICES, EFFECTIVE SIX MONTHS AFTER THE EXPIRATION OF THE FEDERAL PUBLIC HEALTH EMERGENCY

Rates in the table are per 15-minute unit.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>	
Community Participation Support	Community	1:2 or 1:3	W9351	\$5.85	\$7.04
		2:3	W9352	\$8.99	\$10.97
		1:1	W5996	\$11.84	\$14.56
		1:1 enhanced	W5997	\$15.87	\$19.15
		2:1	W5993	\$22.58	\$28.03
		2:1 enhanced	W5994	\$26.61	\$32.62
	Facility	1:11 to 1:15	W7222	\$2.38	\$2.63
		1:7 to 1:10	W7223	\$2.49	\$2.82
		1:4 to 1:6	W7226	\$4.13	\$4.82
		1:2 to 1:3	W7224	\$5.33	\$6.38
		1:1	W7244	\$11.68	\$14.36
		1:1 enhanced	W9353	\$15.64	\$18.86
		2:1	W7269	\$22.20	\$27.57
		2:1 enhanced	W9356	\$26.16	\$32.06

FEE SCHEDULE RATES FOR CONSOLIDATED AND COMMUNITY LIVING WAIVER RESIDENTIAL SERVICES, EFFECTIVE JANUARY 1, 2022

Rates in the table are per day unit unless otherwise noted.

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Licensed Residential Habilitation With Day	Needs Group 1	1 person	W9000	\$408.54	\$483.85
		2 people	W9029	\$408.54	\$483.85
		3 people	W9045	\$294.49	\$348.86
		4 people	W9047	\$232.07	\$273.03
		5—8 people	W9064	\$212.03	\$249.80
	Needs Group 2	1 person	W9000	\$515.01	\$616.78
		2 people	W9029	\$515.01	\$616.78
		3 people	W9045	\$341.21	\$407.36
		4 people	W9047	\$268.22	\$318.28
		5—8 people	W9064	\$250.71	\$296.52
	Needs Group 3	1 person	W9000	\$746.22	\$904.71
		2 people	W9029	\$630.70	\$763.82
		3 people	W9045	\$440.90	\$533.42
		4 people	W9047	\$341.91	\$411.61
		5—8 people	W9064	\$314.42	\$377.36
	Needs Group 4	1 person	W9000	\$822.23	\$1,001.00
		2 people	W9029	\$689.49	\$839.39
		3 people	W9045	\$484.03	\$588.28
		4 people	W9047	\$376.12	\$454.77
		5—8 people	W9064	\$338.58	\$409.29
Licensed Residential Habilitation Without Day	Needs Group 1	1 person	W9000	\$523.00	\$625.89
		2 people	W9029	\$523.00	\$625.89
		3 people	W9045	\$387.76	\$464.60
		4 people	W9047	\$304.14	\$362.46
		5—8 people	W9064	\$267.15	\$318.19
	Needs Group 2	1 person	W9000	\$606.92	\$731.03
		2 people	W9029	\$606.92	\$731.03
		3 people	W9045	\$441.87	\$532.49
		4 people	W9047	\$347.00	\$416.21
		5—8 people	W9064	\$311.99	\$372.69
	Needs Group 3	1 person	W9000	\$924.89	\$1,127.34
		2 people	W9029	\$685.68	\$832.32
		3 people	W9045	\$514.20	\$624.76
		4 people	W9047	\$401.47	\$485.81
		5—8 people	W9064	\$360.24	\$434.44
	Needs Group 4	1 person	W9000	\$1,118.74	\$1,371.94
		2 people	W9029	\$820.15	\$1,002.85
		3 people	W9045	\$624.74	\$764.32
		4 people	W9047	\$481.66	\$586.80
		5—8 people	W9064	\$429.04	\$522.45
Unlicensed Residential Habilitation	N/A	1 person	W7078	\$132.49	\$148.08
		2 people	W7080	\$83.20	\$95.08
		3 people	W7082	\$60.10	\$69.68

NOTICES

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>	
Life Sharing— Over 30 Hours Per Week On Average	Needs Group 1	1 person	W8593	\$171.35	\$175.71	
		2 people	W8595	\$120.79	\$123.14	
	Needs Group 2	1 person	W8593	\$204.29	\$211.85	
		2 people	W8595	\$144.84	\$148.79	
	Needs Group 3	1 person	W8593	\$279.58	\$300.48	
		2 people	W8595	\$197.06	\$208.48	
	Needs Group 4	1 person	W8593	\$355.61	\$394.90	
		2 people	W8595	\$237.16	\$257.42	
Life Sharing— Under 30 Hours Per Week On Average	N/A	1 person	W7037	\$147.63	\$149.02	
		2 people	W7039	\$105.13	\$105.97	
24-Hour Respite (Licensed Respite Group Homes)	Needs Group 1	2 people	W9791	\$474.70	\$550.01	
		3 people	W9792	\$348.80	\$403.17	
		4 people	W9793	\$278.56	\$319.52	
	Needs Group 2	2 people	W9791	\$581.17	\$682.94	
		3 people	W9792	\$395.52	\$461.67	
		4 people	W9793	\$314.71	\$364.77	
	Needs Group 3	1 person	W9790	\$855.36	\$1,013.85	
		2 people	W9791	\$696.86	\$829.98	
		3 people	W9792	\$495.21	\$587.73	
		4 people	W9793	\$388.40	\$458.10	
	Needs Group 4	1 person	W9790	\$931.37	\$1,110.14	
		2 people	W9791	\$755.65	\$905.55	
		3 people	W9792	\$538.34	\$642.59	
		4 people	W9793	\$422.61	\$501.26	
	24-Hour Respite (Respite Only Home)	Needs Group 1	2 people	W9865	\$541.71	\$627.66
			3 people	W9866	\$398.05	\$460.09
4 people			W9871	\$317.88	\$364.62	
Needs Group 2		2 people	W9865	\$663.22	\$779.36	
		3 people	W9866	\$451.36	\$526.85	
		4 people	W9871	\$359.14	\$416.27	
Needs Group 3		2 people	W9865	\$795.25	\$947.16	
		3 people	W9866	\$565.12	\$670.71	
		4 people	W9871	\$443.23	\$522.77	
Needs Group 4		2 people	W9865	\$862.33	\$1,033.39	
		3 people	W9866	\$614.34	\$733.31	
		4 people	W9871	\$482.27	\$572.03	
Supplemental Habilitation	N/A	1:1	W7070	\$5.77 (15-minute unit)	\$7.56 (15-minute unit)	
		2:1	W7084	\$11.53 (15-minute unit)	\$15.12 (15-minute unit)	

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Supported Living	Needs Group 1	1 person	W9872	\$151.12	\$183.39
		2 people	W9873	\$105.79	\$128.37
		3 people	W9874	\$75.56	\$91.70
	Needs Group 2	1 person	W9872	\$253.26	\$307.60
		2 people	W9873	\$202.61	\$246.08
		3 people	W9874	\$134.19	\$162.97
	Needs Group 3	1 person	W9872	\$404.38	\$490.99
		2 people	W9873	\$338.62	\$411.13
		3 people	W9874	\$235.07	\$285.43
	Needs Group 4	1 person	W9872	\$543.72	\$660.72
		2 people	W9873	\$543.72	\$660.72
		3 people	W9874	\$378.48	\$459.90

**DEPARTMENT-ESTABLISHED FEES FOR RESIDENTIAL HABILITATION INELIGIBLE
EFFECTIVE JULY 1, 2022**

Rates in the table are per day unit.

<i>Service</i>	<i>Procedure Code</i>	<i>Approved Program Capacity</i>	<i>Area 1 (Bucks, Carbon, Chester, Delaware, Lehigh, Monroe, Montgomery, Northampton, Philadelphia and Pike)</i>	<i>Area 2 (Remaining Counties in Pennsylvania)</i>
Licensed Residential Habilitation—Ineligible	W9001	1 person	\$99.10	\$88.34
	W9030	2 people	\$54.05	\$47.38
	W9046	3 people	\$38.74	\$33.46
	W9048	4 people	\$30.10	\$25.61
	W9065	5–8 people	\$21.58	\$17.86
Unlicensed Residential Habilitation—Ineligible	W7079	1 person	\$26.69	\$23.74
	W7081	2 people	\$15.45	\$13.16
	W7083	3 people	\$9.04	\$7.08

Copies of this notice may be obtained by contacting the Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, ra-ratesetting@pa.gov.

Fiscal Impact

It is anticipated that there will be a total cost to the Commonwealth in Fiscal Year (FY) 2021-2022 of \$191.378 million (\$81.501 million in State funds). For FY 2021-2022 the increased costs to the Intellectual Disability (ID)—Community Waiver Program are \$186.612 million (\$76.735 million in State funds) and an increase of \$4.766 million in State funds to the ID—Community Base Program.

In FY 2022-2023, the total cost is \$397.125 million (\$202.601 million in State funds). ID—Community Waiver Program costs are \$387.234 million (\$192.710 million in State funds) and ID—Community Base Program costs are \$9.891 million in State funds.

For FY 2023-2024 and subsequent years, the total cost is \$397.125 million (\$203.235 million in State funds). ID—Community Waiver Program costs are \$387.234 mil-

lion (\$193.344 million in State funds) and ID—Community Base Program costs are \$9.891 million in State funds.

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1499. (1) General Fund;

(7) ID—Community Waiver Program; (2) Implementing Year 2021-22 is \$76,735,000; (3) 1st Succeeding Year 2022-23 is \$192,710,000; 2nd Succeeding Year 2023-24 through 5th Succeeding Year 2026-27 are \$193,344,000; (4) 2020-21 Program—\$1,622,000,000; 2019-20 Program—\$1,644,000,000; 2018-19 Program—\$1,644,000,000;

(7) ID—Community Base Program; (2) Implementing Year 2021-22 is \$4,766,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$9,891,000; (4) 2020-21 Program—\$144,432,000; 2019-20 Program—\$148,943,000; 2018-19 Program—\$149,379,000;

(8) recommends adoption. Funds have been included in the budget.

[Pa.B. Doc. No. 22-329. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Big Win Fast Play Game 5154

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Big Win (hereinafter “Big Win”). The game number is PA-5154.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *BIG WIN NUMBERS:* The numbers, letters, symbols or other characters found in the “BIG WIN NUMBERS” area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether the player wins a prize. Whenever three Money Bag symbols appear in the BIG WIN NUMBERS area, the player wins a prize of \$100.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *PROGRESSIVE TOP PRIZE:* The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(k) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *WIN BIG BONUS:* The area at the bottom of a Big Win ticket containing one “WIN BIG BONUS” play symbol that, when played according to the instructions, determines whether the player wins the largest prize shown in the “YOUR NUMBERS” area. “WIN BIG BONUS” is played separately.

(m) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(n) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a Big Win ticket is \$10.

4. *Description of Big Win Fast Play lottery game:*

(a) Big Win lottery game is an instant win game printed from a Lottery Terminal. With the exception of the “PROGRESSIVE TOP PRIZE,” all prizes are predetermined, and the player does not have the ability to select their own play symbols. Big Win tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Big Win is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Big Win tickets contain a “BIG WIN NUMBERS” area. Whenever a player matches the any of the play symbols in the “BIG WIN NUMBERS” area to any of the play symbols in the “WINNING NUMBERS” area, the player wins the prize shown under the matching “BIG WIN NUMBERS” play symbol. Whenever three Money Bag symbols appear in the “BIG WIN NUMBERS” area, the player wins a prize of \$100.

(d) Big Win tickets also contain a “WIN BIG BONUS” area containing a “WIN BIG BONUS” play symbol. Whenever the “WIN BIG BONUS” play symbol matches any “WINNING NUMBER,” the player wins the largest prize shown among the prize symbols in the “YOUR NUMBERS” area. “WIN BIG BONUS” is played separately.

(e) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(f) Big Win tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Big Win ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(h) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Big Win ticket and select the Big Win option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Big Win ticket characteristics:*

(a) Big Win tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Big Win tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "BIG WIN NUMBERS" area and a "WIN BIG BONUS" area. "WIN BIG BONUS" is played separately. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area and the "WIN BIG BONUS" 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 "BIG WIN 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), Crown symbol and a Money Bag symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$1,000 (ONE THO). The prize symbols and their captions, located in the "BIG WIN NUMBERS" area, are: \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and PROG (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game, are: \$10, \$15, \$20, \$50, \$100, \$500 and \$1,000. The prizes that can be won in the "BIG WIN NUMBERS" area, are: \$50, \$100, \$500, \$1,000 and the "PROGRESSIVE TOP PRIZE." The prizes that can be won in the "WIN BIG BONUS" area, are: \$100 and \$500. The "PROGRESSIVE TOP PRIZE" amount starts at \$100,000 and increases by \$0.80 every time a Big Win ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$100,000. A player can win up to 13 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Big Win lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Big Win prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "BIG WIN NUMBERS" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of PROG (TOP PRIZE) appears in the "Prize" area under the matching "BIG WIN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$100,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING

NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any of the "BIG WIN 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 "BIG WIN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(f) Holders of tickets upon which any of the "BIG WIN 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 "BIG WIN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which the "WIN BIG BONUS" play symbol matches any of the "WINNING NUMBERS" play symbols and the largest prize symbol in the "YOUR NUMBERS" area is \$500 (FIV HUN), on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any of the "BIG WIN 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 "BIG WIN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which three Money Bag symbols appear in the "BIG WIN NUMBERS" area, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which the "WIN BIG BONUS" play symbol matches any of the "WINNING NUMBERS" play symbols and the largest prize symbol in the "YOUR NUMBERS" area is \$100 (ONE HUN), on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any of the "BIG WIN 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 "BIG WIN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(p) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING

NUMBERS" play symbols and a prize symbol of \$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.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>WIN BIG BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$10		\$10	8	75,000
\$15		\$15	11.11	54,000
\$10 × 2		\$20	52.63	11,400
\$20		\$20	50	12,000
\$10 × 5		\$50	1,000	600
(\$10 × 3) + \$20		\$50	500	1,200
(\$15 × 2) + (\$10 × 2)		\$50	500	1,200
(\$20 × 2) + \$10		\$50	500	1,200
\$50 w/ BIG WIN MATCH		\$50	40	15,000
\$50		\$50	500	1,200
\$20 × 5		\$100	24,000	25
\$50 × 2		\$100	12,000	50
(\$10 × 5) + (\$15 × 2) + \$20		\$100	24,000	25
(\$15 × 2) + (\$10 × 2) + \$50		\$100	12,000	50
(\$50 w/ BIG WIN MATCH) + (\$20 × 2) + \$10		\$100	4,000	150
(\$50 w/ BIG WIN MATCH) + \$50		\$100	4,000	150
	\$100 w/ BONUS	\$100	2,000	300
\$100 w/ 3 MONEY BAGS		\$100	1,846	325
\$100 w/ BIG WIN MATCH		\$100	1,600	375
\$100		\$100	12,000	50
\$100 × 5		\$500	24,000	25
(((\$100 w/ BIG WIN MATCH) × 2) + (\$100 w/ 3 MONEY BAGS) + (\$15 × 2) + (\$10 × 5) + \$20	\$100 w/ BONUS	\$500	6,000	100
(((\$100 w/ BIG WIN MATCH) × 3) + (\$100 w/ 3 MONEY BAGS)	\$100 w/ BONUS	\$500	6,000	100
(\$100 w/ BIG WIN MATCH) × 5		\$500	6,000	100
	\$500 w/ BONUS	\$500	6,000	100
\$500 w/ BIG WIN MATCH		\$500	4,000	150
\$500		\$500	20,000	30
\$500 × 2		\$1,000	60,000	10
(\$100 w/ BIG WIN MATCH) + (\$100 w/ 3 MONEY BAGS) + (\$50 × 4) + (\$20 × 3) + (\$15 × 2) + \$10	\$500 w/ BONUS	\$1,000	12,000	50
(((\$100 w/ BIG WIN MATCH) × 3) + (\$100 w/ 3 MONEY BAGS) + (\$15 × 4) + (\$10 × 4)	\$500 w/ BONUS	\$1,000	12,000	50
(\$500 w/ BIG WIN MATCH) × 2		\$1,000	24,000	25

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>WIN BIG BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$1,000 w/ BIG WIN MATCH		\$1,000	12,000	50
\$1,000		\$1,000	40,000	15
\$100,000 w/ BIG WIN MATCH		\$100,000*	300,000	2

BIG WIN NUMBERS: When any of the BIG WIN NUMBERS match any WINNING NUMBER, win prize shown under the matching number. When three "MONEY BAG" symbols appear in the BIG WIN NUMBERS area, win \$100 instantly!

WIN BIG BONUS: When the WIN BIG BONUS number matches any WINNING NUMBER, win the BIGGEST prize shown in the play area automatically. WIN BIG BONUS is played separately.

***PROGRESSIVE TOP PRIZE:** The minimum value of the PROGRESSIVE TOP PRIZE is \$100,000. The PROGRESSIVE TOP PRIZE increases by \$0.80 every time a ticket is purchased, and resets to \$100,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket validation and requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. Funding for prizes: Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. Unclaimed prizes: Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery

game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *“PROGRESSIVE TOP PRIZE” restrictions:*

(a) An amount of \$0.80 from the sale of each Big Win ticket will be accumulated in the “PROGRESSIVE TOP PRIZE” pool.

(b) *Prize Amount:* The amount of the “PROGRESSIVE TOP PRIZE” at the time a ticket is purchased can only be verified through the Lottery’s Central Computer System. Any advertisement or any materials describing the amount of the “PROGRESSIVE TOP PRIZE” are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Big Win game, this notice and the data contained in the Lottery’s Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e. \$0.80 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Big Win lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Big Win lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Big Win or through normal communications methods.

20. *Applicability:* This notice applies only to the Big Win lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-330. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Pennsylvania Progressive Fast Play Game 5153

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Pennsylvania Progressive (hereinafter “Pennsylvania Progressive”). The game number is PA-5153.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of

a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *MULTIPLIER*: The area at the top of a Pennsylvania Progressive lottery game ticket containing up to one MULTIPLIER play symbol that, when played according to the instructions, determines whether the player multiplies any prize won in the "YOUR NUMBERS" area by the MULTIPLIER shown. The "PROGRESSIVE TOP PRIZE" is not multiplied.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *PROGRESSIVE NUMBERS*: The numbers, letters, symbols or other characters located at the bottom of a Pennsylvania Progressive lottery game ticket that, when matched according to the instructions, determine whether the player wins the "PROGRESSIVE TOP PRIZE."

(k) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(l) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *WINALL*: The area at the top of a Pennsylvania Progressive lottery game ticket containing one play symbol that, when matched against the play symbols in the "WINNING NUMBERS" area according to the instructions, determines whether the player wins all 25 prizes shown in the "YOUR NUMBERS" area.

(n) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(o) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(p) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Pennsylvania Progressive ticket is \$30.

4. *Description of Pennsylvania Progressive Fast Play lottery game*:

(a) Pennsylvania Progressive lottery game is an instant win game printed from a Lottery Terminal. With the

exception of the "PROGRESSIVE TOP PRIZE," all prizes are predetermined, and the player does not have the ability to select their own play symbols. Pennsylvania Progressive tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Pennsylvania Progressive is played by matching any of the play symbols located in the "YOUR NUMBERS" area to any of the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" play symbol. A bet slip is not used to play this game.

(c) Pennsylvania Progressive tickets contain a "MULTIPLIER" area. Whenever any of the play symbols located in the "YOUR NUMBERS" area matches any of the play symbols located in the "WINNING NUMBERS" area and a multiplier appears in the "MULTIPLIER" area, the player multiplies any prize won in the "YOUR NUMBERS" area by the multiplier shown.

(d) Pennsylvania Progressive is also played by matching any of the "WINNING NUMBERS" play symbols to the "WINALL" number. Players matching play symbols in this manner will win all 25 prizes shown in the "YOUR NUMBERS" area.

(e) Pennsylvania Progressive tickets also contain a "PROGRESSIVE NUMBERS" area. Players matching any of the "PROGRESSIVE NUMBERS" play symbols to any of the "WINNING NUMBERS" play symbols will win the "PROGRESSIVE TOP PRIZE."

(f) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(g) Pennsylvania Progressive tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(h) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Pennsylvania Progressive ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(i) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Pennsylvania Progressive ticket and select the Pennsylvania Progressive option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania Progressive ticket characteristics*:

(a) Pennsylvania Progressive tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Pennsylvania Progressive tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "MULTIPLIER" area, a "WINALL" area and a "PROGRESSIVE NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "PROGRESSIVE NUMBERS" area and the "WINALL" area, are: 1 (ONE), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15

(FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), 41 (FRYONE), 42 (FRYTWO), 43 (FRYTHR), 44 (FRYFOR), 45 (FRYFIV), 46 (FRYSIX), 47 (FRYSVN), 48 (FRYEGT), 49 (FRYNIN) and 50 (FIFT). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), 41 (FRYONE), 42 (FRYTWO), 43 (FRYTHR), 44 (FRYFOR), 45 (FRYFIV), 46 (FRYSIX), 47 (FRYSVN), 48 (FRYEGT), 49 (FRYNIN), 50 (FIFT) and a PA (PENNA) symbol. The play symbols and their captions, located in the "MULTIPLIER" area, are: Fish (NOMULT) symbol, Pennsylvania (NOMULT) symbol, Pretzel (NOMULT) symbol, Deer (NOMULT) symbol, Liberty Bell (NOMULT) symbol, 2X (2TIMES) symbol, 5X (5TIMES) symbol and a 10X (10TIMES) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO).

(d) *Prizes:* The prizes that can be won in this game, are: \$30, \$40, \$50, \$100, \$200, \$500, \$1,000 and \$10,000. The prize that can be won in the "PROGRESSIVE NUMBERS" area is the "PROGRESSIVE TOP PRIZE." Pennsylvania Progressive contains a feature that can multiply certain prizes. The "PROGRESSIVE TOP PRIZE" amount starts at \$500,000 and increases by \$3.20 every time a Pennsylvania Progressive ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$500,000. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 25 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 1,200,000 tickets will be available for sale for the Pennsylvania Progressive lottery game.

6. Prizes available to be won and determination of prize winners:

(a) All Pennsylvania Progressive prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "PROGRESSIVE NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$500,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000

(TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which the "WINALL" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in two of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in 12 of the "Prize" areas, a prize symbol of \$200 (TWO HUN) appears in nine of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 10X (10TIMES) symbol appears in the "MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a PA (PENNA) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that PA (PENNA) symbol, and upon which a 10X (10TIMES) symbol appears in the "MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 5X (5TIMES) symbol appears in the "MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols 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, and upon which a 2X (2TIMES) symbol appears in the "MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which a PA (PENNA) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that PA (PENNA) symbol, and upon which a 2X (2TIMES) symbol appears in the "MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which the "WINALL" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in three of the "Prize" areas and a prize symbol of \$30⁰⁰ (THIRTY) appears in 16 of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which the "WINALL" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in

(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.

(hh) Holders of tickets upon which a PA (PENNA) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize"

area under that PA (PENNA) symbol, on a single ticket, shall be entitled to a prize of \$30.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
\$30 w/ PA SYMBOL	\$30	16.67	72,000
\$30	\$30	16.67	72,000
\$40 w/ PA SYMBOL	\$40	14.29	84,000
\$40	\$40	15.38	78,000
\$50 w/ PA SYMBOL	\$50	27.03	44,400
\$50	\$50	27.03	44,400
\$50 × 2	\$100	200	6,000
(((\$30 w/ PA SYMBOL) × 2) + \$40	\$100	250	4,800
(\$50 w/ PA SYMBOL) + \$50	\$100	250	4,800
2X w/ (\$50 w/ PA SYMBOL)	\$100	100	12,000
2X w/ \$50	\$100	90.91	13,200
\$100 w/ PA SYMBOL	\$100	250	4,800
\$100	\$100	200	6,000
\$100 × 2	\$200	4,000	300
\$50 × 4	\$200	12,000	100
\$40 × 5	\$200	12,000	100
(\$40 w/ PA SYMBOL) + (\$50 × 2) + (\$30 × 2)	\$200	4,000	300
(\$50 w/ PA SYMBOL) + (\$30 × 5)	\$200	4,000	300
(\$50 w/ PA SYMBOL) + \$100 + \$50	\$200	12,000	100
(\$50 w/ PA SYMBOL) + (\$30 w/ PA SYMBOL) + (\$40 × 3)	\$200	6,000	200
2X w/ ((\$50 w/ PA SYMBOL) + \$50)	\$200	6,000	200
2X w/ \$100	\$200	1,000	1,200
5X w/ (\$40 w/ PA SYMBOL)	\$200	2,400	500
5X w/ \$40	\$200	1,000	1,200
\$200 w/ PA SYMBOL	\$200	6,000	200
\$200	\$200	12,000	100
\$100 × 5	\$500	24,000	50
(\$50 w/ PA SYMBOL) + (\$100 × 2) + (\$50 × 2) + (\$30 × 5)	\$500	60,000	20
(((\$50 w/ PA SYMBOL) × 2) + (\$50 × 5) + (\$30 × 5)	\$500	60,000	20
(\$100 w/ PA SYMBOL) + (\$50 × 4) + (\$40 × 2) + (\$30 × 4)	\$500	60,000	20
(\$200 w/ PA SYMBOL) + ((\$50 w/ PA SYMBOL) × 2) + (\$40 × 5)	\$500	24,000	50
5X w/ ((\$50 w/ PA SYMBOL) + \$50)	\$500	24,000	50
5X w/ \$100	\$500	24,000	50
10X w/ (\$50 w/ PA SYMBOL)	\$500	60,000	20
10X w/ \$50	\$500	12,000	100
\$500 w/ PA SYMBOL	\$500	24,000	50

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
\$500	\$500	24,000	50
WINALL NUMBER MATCH w/ (($\$50 \times 4$) + ($\40×10) + ($\$30 \times 10$) + $\$100$)	\$1,000	4,800	250
WINALL NUMBER MATCH w/ (($\$100 \times 2$) + ($\50×4) + ($\$40 \times 3$) + ($\30×16))	\$1,000	4,800	250
2X w/ ($\$500$ w/ PA SYMBOL)	\$1,000	120,000	10
2X w/ $\$500$	\$1,000	40,000	30
5X w/ (($\$100$ w/ PA SYMBOL) + $\$100$)	\$1,000	60,000	20
5X w/ $\$200$	\$1,000	24,000	50
10X w/ ($\$100$ w/ PA SYMBOL)	\$1,000	120,000	10
10X w/ $\$100$	\$1,000	24,000	50
$\$1,000$	\$1,000	120,000	10
WINALL NUMBER MATCH w/ (($\$1,000 \times 2$) + ($\500×12) + ($\$200 \times 9$) + ($\100×2))	\$10,000	240,000	5
$\$10,000$	\$10,000	240,000	5
$\$500,000$ w/ PROGRESSIVE NUMBER MATCH	$\$500,000^*$	400,000	3

When a "PA" (PENNA) symbol appears, win prize shown under that symbol automatically.

When any multiplier appears in the MULTIPLIER area, multiply any prize won in the main play area below.

When the WINALL number matches any WINNING NUMBER, win ALL 25 prizes shown!

PROGRESSIVE NUMBERS: When any of the PROGRESSIVE NUMBERS match any WINNING NUMBER, win the current PROGRESSIVE TOP PRIZE amount instantly!

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$500,000. The PROGRESSIVE TOP PRIZE increases by \$3.20 every time a ticket is purchased, and resets to \$500,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket validation and requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *“PROGRESSIVE TOP PRIZE” restrictions:*

(a) An amount of \$3.20 from the sale of each Pennsylvania Progressive ticket will be accumulated in the “PROGRESSIVE TOP PRIZE” pool.

(b) *Prize Amount:* The amount of the “PROGRESSIVE TOP PRIZE” at the time a ticket is purchased can only be verified through the Lottery’s Central Computer System. Any advertisement or any materials describing the amount of the “PROGRESSIVE TOP PRIZE” are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Pennsylvania Progressive game, this notice and the data contained in the Lottery’s Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a

“PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e. \$3.20 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Pennsylvania Progressive lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Pennsylvania Progressive lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Progressive or through normal communications methods.

20. *Applicability*: This notice applies only to the Pennsylvania Progressive lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-331. Filed for public inspection February 25, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Wow Fast Play Game 5155

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Wow (hereinafter “Wow”). The game number is PA-5155.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *PROGRESSIVE NUMBER MATCH*: The numbers, letters, symbols or other characters found in the “PROGRESSIVE NUMBERS” area that, when matched against the play symbol in the “WOW NUMBER” area, determine whether the player wins the “PROGRESSIVE TOP PRIZE.”

(g) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(m) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(n) *WOW NUMBER*: The area at the top of a Wow ticket containing one play symbol that, when matched according to the instructions, determines whether the player wins the “PROGRESSIVE TOP PRIZE.”

(o) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Wow ticket is \$5.

4. *Description of the Wow Fast Play lottery game*:

(a) The Wow lottery game is an instant win game printed from a Lottery Terminal. With the exception of the “PROGRESSIVE TOP PRIZE,” all prizes are predetermined, and the player does not have the ability to select their own play symbols. Wow tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Wow is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. Whenever “WOW” appears with one or more winning matches in the “YOUR NUMBERS” area, the player increases any prize won by \$10. A bet slip is not used to play this game.

(c) Wow tickets contain a “WOW NUMBER” area and a “PROGRESSIVE NUMBERS” area. Whenever a player matches the play symbol in the “WOW NUMBER” area to any of the play symbols in the “PROGRESSIVE NUMBERS” area, the player wins the “PROGRESSIVE TOP PRIZE.” “PROGRESSIVE NUMBER MATCH” is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Wow tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Wow ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Wow ticket and select the Wow option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Wow ticket characteristics:*

(a) Wow tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Wow tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "WOW NUMBER" area and a "PROGRESSIVE NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "WOW NUMBER" area and the "PROGRESSIVE 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), W symbol and an O symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$300 (THR HUN) and \$1,000 (ONE THO).

(d) *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$300 and \$1,000. The prize that can be won in the "PROGRESSIVE NUMBERS" area is the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$50,000 and increases by \$0.50 every time a Wow ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$50,000. Wow also contains a feature that can increase the prize won by \$10. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to nine times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Wow lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Wow prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which the "WOW NUMBER" play symbol matches any of the "PROGRESSIVE NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$50,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the

matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300 (THR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "WOW" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$310.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300 (THR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "WOW" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$110.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols 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.

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "WOW" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$60.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols 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.

(j) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "WOW" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "WOW" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$30.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which

“WOW” appears in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols 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.

(o) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which “WOW” appears in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.⁰⁰ (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which “WOW” appears in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$15.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$5	\$5	8	75,000
\$5 × 2	\$10	25	24,000
\$10	\$10	25	24,000
\$5 × 3	\$15	500	1,200
\$10 + \$5	\$15	500	1,200
WOW w/ \$5	\$15	38.46	15,600
\$15	\$15	500	1,200
\$10 × 2	\$20	1,000	600
(\$5 × 2) + \$10	\$20	1,000	600
WOW w/ \$10	\$20	50	12,000
\$20	\$20	1,000	600
\$10 × 3	\$30	1,000	600
(\$5 × 4) + \$10	\$30	2,000	300
WOW w/ (\$5 × 2)	\$30	333.33	1,800
WOW w/ \$20	\$30	333.33	1,800
\$30	\$30	2,000	300
\$10 × 5	\$50	12,000	50
(\$15 × 2) + (\$10 × 2)	\$50	12,000	50
WOW w/ ((\$5 × 2) + \$10)	\$50	1,714	350
WOW w/ (\$20 + \$10)	\$50	1,714	350
WOW w/ (\$15 × 2)	\$50	1,714	350
\$50	\$50	12,000	50
\$50 × 2	\$100	24,000	25
(\$20 × 3) + \$30 + \$10	\$100	24,000	25
WOW w/ (\$10 × 5)	\$100	4,800	125
WOW w/ (\$15 × 4)	\$100	4,000	150
WOW w/ ((\$20 × 2) + (\$10 × 2))	\$100	4,000	150

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
WOW w/ (\$50 + \$30)	\$100	4,000	150
\$100	\$100	24,000	25
\$50 × 6	\$300	120,000	5
\$100 × 3	\$300	120,000	5
WOW w/ ((\$30 × 4) + (\$20 × 3) + (\$15 × 2))	\$300	24,000	25
WOW w/ ((\$30 × 5) + (\$20 × 2) + (\$10 × 2))	\$300	24,000	25
WOW w/ ((\$50 × 4) + (\$10 × 3))	\$300	24,000	25
WOW w/ ((\$100 × 2) + \$50 + \$10)	\$300	24,000	25
\$300	\$300	120,000	5
(\$300 × 2) + (\$100 × 4)	\$1,000	300,000	2
WOW w/ ((\$100 × 5) + (\$50 × 2) + \$300 + \$10)	\$1,000	300,000	2
WOW w/ ((\$300 × 2) + (\$100 × 3) + (\$15 × 2))	\$1,000	300,000	2
\$1,000	\$1,000	300,000	2
\$50,000 w/ PROGRESSIVE NUMBER MATCH	\$50,000*	300,000	2

When "WOW" appears in the YOUR NUMBERS area, add \$10 to ANY prize won.

PROGRESSIVE NUMBER MATCH: When the WOW NUMBER matches any PROGRESSIVE NUMBER, win the current PROGRESSIVE TOP PRIZE amount instantly! PROGRESSIVE NUMBER MATCH is played separately.

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$50,000. The PROGRESSIVE TOP PRIZE increases by \$0.50 every time a ticket is purchased, and resets to \$50,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *“PROGRESSIVE TOP PRIZE” restrictions:*

(a) An amount of \$0.50 from the sale of each Wow ticket will be accumulated in the “PROGRESSIVE TOP PRIZE” pool.

(b) *Prize Amount:* The amount of the “PROGRESSIVE TOP PRIZE” at the time a ticket is purchased can only be verified through the Lottery’s Central Computer System. Any advertisement or any materials describing the amount of the “PROGRESSIVE TOP PRIZE” are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Wow game, this notice and the data contained in the Lottery’s Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning

ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e. \$0.50 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Wow lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Wow lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Wow or through normal communications methods.

20. *Applicability:* This notice applies only to the Wow lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-332. Filed for public inspection February 25, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

Mentored Youth Fishing Day Program; Trout

Acting under the authority of 58 Pa. Code § 65.20 (relating to Mentored Youth Fishing Day Program), the Executive Director has designated March 26, 2022, as Mentored Youth Fishing Day for trout, beginning at 8 a.m. and ending at 7:30 p.m., in stocked trout waters designated under 58 Pa. Code § 63.3 (relating to fishing in stocked trout waters) and the waters identified as follows that are normally closed to trout fishing on those dates. This designation under § 65.20 will be effective upon publication of this notice in the *Pennsylvania Bulletin*.

To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and current trout/salmon permit and be accompanied by a youth (under 16 years of age) who has obtained a mentored youth permit or a voluntary youth license from the Fish and Boat Commission (Commission). Youth anglers must obtain a 2022-mentored youth permit or voluntary youth license or possess a 2022 mentored youth permit or voluntary youth license from the Commission and be accompanied by a licensed adult angler to participate.

Although waters included in the Mentored Youth Fishing Day Program (Program) will be open to accompanying adult anglers, only youth anglers with a 2022 voluntary youth license or mentored youth permit may possess a total of two trout (combined species) with a minimum length of 7 inches. Adult anglers are prohibited from possessing trout. Other Commonwealth inland regulations will apply. It is unlawful to fish in waters designated as part of the Program except in compliance with the requirements of § 65.20 when participating in the Program.

The waters included in the Program on March 26, 2022, are the stocked trout waters Statewide. Special regulation areas are not included in the Program. A listing of stocked trout waters is published in the Commission's "Summary of Fishing Regulations and Laws" available

from the Commission at P.O. Box 67000, Harrisburg, PA 17106-7000. The listing is also available at <https://pfbfc.pa.gov/fishpub/summaryad/troutwaters.html> and on the FishBoatPA mobile app.

In addition, the Executive Director has identified the following waters as being included in the Program on March 26, 2022:

<i>County</i>	<i>Water</i>
Cambria	Carrolltown Rod and Gun Club Dam
Centre	Beauty Run (sections 1 and 2—headwaters to mouth)
Centre	Eddy Lick Run (sections 1 and 2—headwaters to mouth)
Centre	Little Sandy Run Ponds
Centre	Sandy Run (sections 1 and 2—headwaters to mouth)
Centre	South Fork Beech Creek (sections 1, 2 and 3—headwaters to mouth)
Centre	Wolf Run (sections 1, 2 and 3—headwaters to mouth)
Clarion	Pine Creek (section 1—headwaters to mouth)
Elk	Blue Valley Pond
Erie	Hirtzel Pond
Jefferson	Ferguson Run (section 1—headwaters to mouth)
Lancaster	Donegal Creek (150 yards upstream and downstream of Route 772)
Somerset	Rhoades Creek (mouth, upstream 0.3 mile past the Rockwood Legion)
Somerset	Quemahoning Rod and Gun Club Dam
Somerset	Windber Sportsmen's Association Dam
York	Kreutz Creek (bridge on Ruppert Road)
York	Mill Creek (intersection of Camp Betty Washington Road and Chambers Hill Road)

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 22-333. Filed for public inspection February 25, 2022, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed at the Commission's web site at www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
6-349	Department of Education Charter Schools and Cyber Charter Schools	2/10/21	3/21/22

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-334. Filed for public inspection February 25, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Continental Casualty Company (SERFF # CNAB-133052107); Rate Increase Filing for Several Individual LTC Forms; Rate Filing

Continental Casualty Company is requesting approval to increase the premium 131.7% on 3,783 policyholders of forms P1-N0075-A37/-A87, P1-N0076-A37/-A87, P1-N0080-A37/-A87, P1-N0081-A37/-A87, P1-N0085-A37/-A87, P1-N0086-A37/-A87, P1-N0090-A37/-A87, P1-N0091-A37/-A87, P1-N0095-A37/-A87, P1-N0096-A37/-A87, P1-N0100-A37/-A87 and P1-N0101-A37/-A87.

Unless formal administrative action is taken prior to May 13, 2022, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 22-335. Filed for public inspection February 25, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Johnnie Lee Williams, Jr.; Order to Show Cause; Doc. No. SC22-02-012

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing videoconference initiated by this office is scheduled for March 23, 2022, at 9:30 a.m. The parties will join the Zoom prehearing conference through the link supplied in the accompanying transmittal invitation and will be in the waiting room for the conference prior to that time. A date for a hearing shall be determined, if necessary, at the prehearing videoconference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before March 9, 2022, with the Administrative Hearings Office. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before March 21, 2022.

Persons with a disability who wish to attend the previously-referenced administrative proceedings and require an auxiliary aid, service or other accommodation to

participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 22-336. Filed for public inspection February 25, 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 14, 2022. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by March 14, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-2022-3030847. Limousines for Less, Inc. (315 Clermont Avenue, Stroudsburg, Monroe County, PA 18360) to transport, in group and party service, in vehicles seating from 11—15 passengers, including the driver, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public conveyance as described under the application.*

A-2022-3030822. Janet Esh (5292 Denlinger Road, Gap, PA 17527) discontinuance of service and cancellation of its certificate, for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return, as amended.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-337. Filed for public inspection February 25, 2022, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, so individuals interested in challenging this action should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Kulp Family Dairy, LLC— Huntsman Farm 384 Huntsman Lane Martinsburg, PA 16662	Blair County/ North Woodbury Township	0	Cattle	New	Approved
Evergreen Farms, Inc.— Peterson Farm 5818 Harpster Lane Spruce Creek, PA 16865	Huntingdon County/ Franklin Township	33.6	Cattle	New	Approved
Kenton Reiff—Chiques View Farms 1775 Pinkerton Road Mount Joy, PA 17552	Lancaster County/ Rapho Township	85	Duck	New	Approved
Amos and Jillian Zimmerman 43 Molino Road Orwigsburg, PA 17961	Schuylkill County/ West Brunswick Township	78.8	Pullets	Amended	Approved
Jake H. Lee 492 Evergreen Road Luthersburg, PA 15848	Clearfield County/ Brady Township	86.4	Veal	Existing	Rescinded
Noah J. Raber 790 Rimer Road Luthersburg, PA 15848	Clearfield County/ Brady Township	34.24	Veal	Existing	Rescinded
Tanner Bence 544 Shankle Road Schellsburg, PA 15559	Bedford County/ Napier Township	135.28	Duck	Existing	Rescinded
Pleasant View Farms, Inc.—Home Farm 261 Pleasant View Farms Road Martinsburg, PA 16662	Blair County/ North Woodbury Township	652.5	Cattle	New	Approved

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 22-338. Filed for public inspection February 25, 2022, 9:00 a.m.]

