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Agencies in this issue

Department of Agriculture

Department of Banking and Securities

Department of Community and Economic
Development

Department of Environmental Protection

Department of General Services

Department of Health

Department of Human Services

Department of Transportation

Fish and Boat Commission

Human Relations Commission

Independent Regulatory Review Commission

Insurance Department

Pennsylvania Public Utility Commission

Detailed list of contents appears inside.



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No. 569, April 2022

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CONTENTS

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGRICULTURE

Notices

Agricultural research grant applications 2130

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 2132

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Notices

Weatherization Assistance Program; proposed State Plan; virtual public hearing 2132

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 2133

Interstate pollution transport reduction; final 2022 ozone season nitrogen oxide emission limits for nonelectric generating units 2184

Planning grant awards under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988 2186

DEPARTMENT OF GENERAL SERVICES

Notices

Real estate for sale (2 documents) 2186

DEPARTMENT OF HEALTH

Notices

Ambulatory surgical facilities; requests for exceptions 2186

Decisions on requests for exceptions to health care facility regulations 2188

Hospitals; requests for exceptions 2189

Recognized lifeguard certifying authorities for 2022; amended notice 2190

DEPARTMENT OF HUMAN SERVICES

Notices

Medical Assistance Program fee schedule addition 2191

DEPARTMENT OF TRANSPORTATION

Notices

Highly Automated Vehicle Advisory Committee teleconference meeting 2192

National Electric Vehicle Infrastructure Formula Program State Plan teleconference meeting 2192

FISH AND BOAT COMMISSION

Notices

Lake Erie commercial fishing—2022 2192

Lake Erie creel limits for walleye and yellow perch—2022 2192

HUMAN RELATIONS COMMISSION

Proposed Rulemaking

Protected classes under the PHRA and PFEOA 2122

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of comments issued 2192

Notice of filing of final rulemakings 2193

INSURANCE DEPARTMENT

Statements of Policy

Non-enforcement of prohibition on data collection—statement of policy; notice 2022-05 2128

Notices

Application and request for a certificate of authority to provide a continuing care retirement community by Riverton Operator, LLC 2194

Insurance coverages or risks eligible for export by the Acting Insurance Commissioner 2194

Stanford Lyons; order to show cause; doc. No. SC22-01-023 2195

Review procedure hearings; cancellation or refusal of insurance 2195

Review procedure hearings under the Unfair Insurance Practices Act 2196

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

General rule transaction 2196

Natural gas service (2 documents) 2196, 2197

Service of notice of motor carrier applications 2197

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

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.

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

Adopted Rules

1	936
7	336
601a	1454
602a	1454
603a	1454
604a	1454
605a	1454
606a	1454
607a	1454

Statements of Policy

9	1112, 1276, 1742
---	------------------

16 Pa. Code (Community Affairs)

Proposed Rules

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

22 Pa. Code (Education)

Adopted Rules

741	356
741a	356

Statements of Policy

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

25 Pa. Code (Environmental Protection)

Adopted Rule

121	1875
129	1875

Proposed Rules

92a	361
109	1245
121	689
129	689
261a	235
271	363
279	363

28 Pa. Code (Health and Safety)

Adopted Rules

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

Proposed Rules

201	1626
209	1626
211	1626

31 Pa. Code (Insurance)

Proposed Rules

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

Statements of Policy

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

34 Pa. Code (Labor and Industry)

Adopted Rules

101	1480
401	971
403	971

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

3	1485
13	1600
16	1899
17	1899
18	1899
19	444
21	1916
37	17
41	446
42	448
47	1608
48	1608
49	1608

Proposed Rules

1	1736
6	1978
18	985
31	1980
42	835

52 Pa. Code (Public Utilities)

Proposed Rules

59	992
----	-----

58 Pa. Code (Recreation)

Adopted Rules

113	983
623b	1491
627b	1491
629b	1491

Proposed Rules

63	1494
65	1494, 1496

67 Pa. Code (Transportation)

Adopted Rules

55	68
----	----

101 Pa. Code (General Assembly)

Statements of Policy

31	1642
----	------

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29	339
71	341
82	964
83	1733, 1974

Proposed Rules

81	942
83	942, 965
303	583

207 Pa. Code (Judicial Conduct)**Adopted Rules**

1 680

210 Pa. Code (Appellate Procedure)**Adopted Rules**

19 9

Proposed Rules

16 1452

231 Pa. Code (Rules of Civil Procedure)**Adopted Rules**

200 440

400 10, 682

1915 826

Part II 441, 684

234 Pa. Code (Rules of Criminal Procedure)**Proposed Rules**

1 205, 346

5 205, 346

6 346

7 205

10 205, 346

237 Pa. Code (Juvenile Rules)**Proposed Rules**

5 11

249 Pa. Code (Philadelphia Rules)

Unclassified 230, 827

252 Pa. Code (Allegheny County Rules)

Unclassified 13

255 Pa. Code (Local Court Rules)

Unclassified 14, 15, 16, 231, 232, 233, 353,

443, 685, 828, 968, 969, 1111, 1453, 1599, 1734, 1975,

1976

PROPOSED RULEMAKING

HUMAN RELATIONS COMMISSION

[16 PA. CODE CH. 41]

Protected Classes Under the PHRA and PFEOA

Statutory Authority

The Human Relations Commission (Commission) proposes to amend Chapter 41 (relating to preliminary provisions) by creating new Subchapter D (relating to protected classes), as set forth in Annex A. The Commission is publishing these amendments under the authority of the Pennsylvania Human Relations Act (PHRA) (43 P.S. §§ 951—963), as amended by the act of June 25, 1997 (P.L. 326, No. 34) and the Pennsylvania Fair Educational Opportunities Act (PFEOA) (24 P.S. §§ 5001—5010), as amended by the act of December 22, 1992 (P.L. 1688, No. 187).

Description of the Amendments to this Proposed Rulemaking

The Commission proposes to create Subchapter D, to provide definitions for terms used in the PHRA and the PFEOA. Specifically, this proposed rulemaking provides definitions for the terms “sex,” “race” and “religious creed.” Neither the PHRA, the PFEOA or the Commission’s existing regulations provide a definition for these terms. Although the Commission previously issued guidance regarding the manner in which the term “sex” should be interpreted, that guidance has not been codified into a regulation. The Commission proposes that the definition for the term “sex” be codified in Subchapter D, along with the terms “race” and “religious creed.”

Proposed Subchapter D contains seven sections. Proposed § 41.201 (relating to purpose) provides the purpose for this proposed rulemaking which is to ensure that all unlawful discriminatory practices and all unfair educational practices proscribed by the PHRA and the PFEOA are interpreted and applied consistently and that all investigations conducted by the Commission are investigated consistent with this proposed rulemaking. Proposed § 41.202 (relating to construction) provides that this proposed rulemaking should be liberally construed for the accomplishment of the purposes of the PHRA and the PFEOA. Section 41.202 also provides that this proposed rulemaking should be construed consistently with other Federal and State laws and regulations except when to do so would result in a narrow interpretation of the PHRA and the PFEOA. While this proposed rulemaking is meant to provide guidance regarding the interpretation of the PHRA and the PFEOA, the guidance must comply with section 12(a) of the PHRA (43 P.S. § 962(a)) which states that “the provisions of this act shall be construed liberally for the accomplishment of the purposes thereof, and any law inconsistent with any provisions hereof shall not apply.” Thus, § 41.202 is consistent with section 12(a) of the PHRA, which requires a liberal construction of the PHRA, by clearly explaining that Federal or State law cannot be relied upon when interpreting the PHRA or the PFEOA if the reliance would result in a narrow interpretation of the PHRA or the PFEOA.

Proposed § 41.203 (relating to enforcement) explains that this proposed rulemaking will be enforced in accordance with the PHRA, the PFEOA and the existing regulations of the Commission. Proposed § 41.204 (relating to definitions) provides definitions for terms used in

Subchapter D. Proposed § 41.205 (relating to religious creed discrimination) provides the manner in which the term “religious creed,” as used in the PHRA and the PFEOA, should be interpreted, as explained more fully as follows. Proposed § 41.206 (relating to sex discrimination) provides the manner in which the term “sex,” as used in the PHRA and the PFEOA, should be interpreted, as explained more fully as follows. Proposed § 41.207 (relating to race discrimination) provides the manner in which the term “race,” as used in the PHRA and the PFEOA, should be interpreted, as explained more fully as follows.

Purpose and Explanation of this Proposed Rulemaking

Section 7(d) of the PHRA (43 P.S. § 957(d)) and section 6(6) of the PFEOA (24 P.S. § 5006(6)) explicitly authorize the Commission to “adopt, promulgate, amend and rescind rules and regulations to effectuate the policies and provisions of the” PHRA and the PFEOA. Section 9(g) of the PHRA (43 P.S. § 959(g)) and section 7 of the PFEOA (24 P.S. § 5007) also require the Commission to “establish rules of practice to govern, expedite and effectuate the foregoing procedure and its own actions thereunder.” The PHRA and the PFEOA specifically prohibit discrimination on the basis of religious creed, sex and race. However, neither statute provides a definition for those terms nor do the Commission’s existing regulations provide a definition for those terms. The Commission proposes to adopt regulations, consistent with its authority in section 7(d) of the PHRA and section 6(6) of the PFEOA, to explain the manner in which the terms “religious creed,” “sex” and “race” should be interpreted.

This proposed rulemaking provides clarity and consistency regarding how the terms “religious creed,” “sex” and “race,” as used throughout the PHRA and the PFEOA—including in the provisions prohibiting discrimination in employment, housing, commercial property, public accommodations and educational institutions—should be interpreted. The Commission recognizes that the PHRA has different provisions prohibiting discrimination in employment, housing accommodations and commercial property, and public accommodations, including educational institutions. The Commission also recognizes that the PFEOA has its own provisions prohibiting discrimination in certain educational institutions. However, all of the provisions regarding discrimination in employment, housing accommodations and commercial property, and public accommodations, including educational institutions, prohibit discrimination because of religious creed, sex and race. Given that the Commission enforces two statutes, which prohibit discrimination in employment, housing accommodations and commercial property, and public accommodations, including educational institutions, because of religious creed, sex and race, the Commission’s proposed regulations provide the guidance necessary to ensure that the terms “religious creed,” “sex” and “race” are interpreted consistently throughout the PHRA and the PFEOA.

Religious Creed Discrimination

With respect to religious creed discrimination, the PHRA prohibits discrimination, on the basis of religious creed, in employment, housing, commercial property, public accommodations and educational institutions. The PFEOA prohibits discrimination, on the basis of religious creed, in certain educational institutions. Similar to the PHRA’s protections regarding religious creed discrimination in employment, Title VII of the Civil Rights Act of

1964 (Title VII) (42 U.S.C.A. §§ 2000e—2000e-17), declares that it is “an unlawful employment practice for an employer to . . . otherwise discriminate against any individual . . . because of such individual’s . . . religion.” 42 U.S.C.A. § 2000e-2(a)(1).

In interpreting the PHRA, Commonwealth courts have recognized that claims of religious creed discrimination may be brought under the PHRA as claims of disparate treatment, failure to accommodate a religious creed and harassment. *Brown Transport Corp. v. PHRC*, 578 A.2d 555 (Pa. Cmwlth. 1990) (overruled on other grounds in *Hoy v. Angelone*, 554 Pa. 134, 720 A.2d 745) (Pa. 1998); see also *Winn v. Trans World Airlines, Inc.*, 484 A.2d 392, 400 n.9 (Pa. 1984). However, there is minimal case law in this Commonwealth which explains the manner in which the term “religious creed,” as used in the PHRA and the PFEOA, should be interpreted. In *Knepp v. Colonial Metals Co.*, 2005 Pa. Dist. & Cnty. Dec. LEXIS 3, *15—17 (Court of Common Pleas of Lancaster County, PA July 6, 2005), the Court relied upon Federal court decisions interpreting Title VII to determine whether the plaintiff’s asserted religious beliefs were sufficient to allege a claim of religious creed discrimination under the PHRA. Likewise, Commonwealth courts have explained that although they are not bound by Federal court decisions interpreting Federal statutes similar to the PHRA, in interpreting the PHRA where no applicable State law exists, “it is appropriate to look to federal decisions involving similar federal statutes for guidance.” *McGlaun v. PHRC*, 891 A.2d 757, 768 (Pa. Cmwlth. 2006) quoting *City of Pittsburgh Commission on Human Relations v. DeFelice*, 782 A.2d 586, 592, n.8 (Pa. Cmwlth. 2001); see also *General Electric Corp. v. PHRC*, 469 Pa. 292, 303, 365 A.2d 649, 654-655 (Pa. 1976).

Thus, in crafting this proposed rulemaking, the Commission turned to Title VII for guidance regarding the definition of “religious creed,” as Commonwealth courts often do when interpreting the PHRA and the PFEOA. Section 701(j) of Title VII (42 U.S.C.A. § 2000e(j)) explains that “[t]he term ‘religion’ includes all aspects of religious observance and practice, as well as belief. . . .” The regulations adopted by the Equal Employment Opportunity Commission (EEOC) in 29 CFR 1605.1 (relating to “religious” nature of a practice or belief) explain that “religious practices include moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views.” The EEOC regulations in 29 CFR 1605.1 further provide that “the fact that no religious group espouses such beliefs or the fact that the religious group to which the individual professes to belong may not accept such belief will not determine whether the belief is a religious belief of the employee or prospective employee.” The EEOC regulations in 29 CFR 1605.1 also provide that “the phrase ‘religious practice’ as used in these Guidelines includes both religious observances and practices.” As such, by using the language regarding religious discrimination contained in Title VII and its implementing regulations, this proposed rulemaking provides an interpretation for the term “religious creed,” as used in the PHRA and the PFEOA, which is consistent with Title VII and its implementing regulations. This proposed rulemaking also provides clarity that the interpretation of the term “religious creed,” as used throughout the PHRA and the PFEOA—including in the provisions prohibiting discrimination in employment, housing, commercial property, public accommodations and educational institutions—is interpreted consistently.

In addition to this proposed rulemaking regarding religious creed discrimination, the Commission recognizes

that persons who are subject to the provisions of the PHRA and the PFEOA may believe that enforcement of the PHRA or the PFEOA against them would violate their free exercise of religion. This proposed rulemaking does not address those concerns because the Religious Freedom Protection Act (RFPA) (71 P.S. §§ 2401—2408), provides the mechanism for asserting these claims. Thus, if a person subject to the provisions of the PHRA or the PFEOA believes that enforcement of the PHRA or the PFEOA against them would violate their free exercise of religion, those persons may avail themselves of the protections in the RFPA by following the procedures outlined in the RFPA.

Sex Discrimination

With respect to sex discrimination, the PHRA prohibits discrimination, on the basis of sex, in employment, housing, commercial property, public accommodations and educational institutions. The PFEOA prohibits discrimination, on the basis of sex, in certain educational institutions. Similar to the PHRA’s protections regarding sex discrimination in employment, section 703(a)(1) of Title VII (42 U.S.C.A. § 2000e-2(a)(1)) declares that it is “an unlawful employment practice for an employer to . . . otherwise discriminate against any individual . . . because of such individual’s . . . sex.” Additionally, similar to the protections regarding sex discrimination in educational institutions provided by the PHRA and the PFEOA, Title IX of the Civil Rights Act of 1972 (Title IX) (20 U.S.C.A. §§ 1681—1688), prohibits discrimination on the basis of sex in educational programs receiving Federal financial assistance. Thus, while the PHRA and the PFEOA do not define the term “sex,” this proposed rulemaking provides a definition for the term “sex” which is consistent with the manner in which the term “sex,” as used in Title VII and Title IX, has been interpreted by Federal courts. This proposed rulemaking is also consistent with the manner in which the term “sex” has been interpreted by state courts and by the Commission’s regulations enacted in 1975, found in §§ 41.101—41.104 (relating to pregnancy, childbirth and childrearing). This proposed rulemaking is also consistent with the manner in which the term “sex” has been defined by Title VII.

This proposed rulemaking explains that the term “sex” includes pregnancy, childbirth and breastfeeding. This portion of this proposed rulemaking is consistent with the Title VII definition for sex. Section 701(k) of Title VII states that “[t]he terms ‘because of sex’ or ‘on the basis of sex’ include, but are not limited to, because of or on the basis of pregnancy, childbirth, or related medical conditions shall be treated the same for all employment-related purposes.” This portion of this proposed rulemaking is also consistent with the manner in which the term “sex” has been interpreted by Commonwealth courts. Commonwealth courts have explained that “pregnancy based discrimination constitutes sex discrimination proscribed by section 5(a) of the PHRA.” *Anderson v. Upper Bucks County Area Vocational Technical School*, 373 A.2d 126, 130 (Pa. Cmwlth. 1976). Additionally, this definition is consistent with the protections provided by the Commission’s regulations regarding pregnancy, childbirth and childrearing, found in §§ 41.101—41.104. The Commission’s pregnancy, childbirth and childrearing regulations, enacted in 1975, explain that certain conduct related to pregnancy, childbirth and childrearing constitutes unlawful discriminatory practices prohibited by the PHRA.

This proposed rulemaking also explains that the term “sex” includes sex assigned at birth, gender identity/expression, differences in sex development and affectional/

sexual orientation. This portion of this proposed rulemaking is consistent with the manner in which the term “sex,” as used in Title VII and Title IX, has been interpreted by Federal courts, including the United States Supreme Court. Specifically, the recent United States Supreme Court case, *Bostock v. Clayton Cty.*, 140 S. Ct. 1731 (2020), provided an expansive definition for the term “sex,” as used in Title VII, with respect to employment discrimination on the basis of sex. The Court explained that discriminating against an individual for being homosexual or transgender is discrimination based on one’s sex, as proscribed by Title VII. *Bostock*, 140 S. Ct. at 1753.

Although the *Bostock* Court acknowledged that they were not deciding issues related to sex-segregated bathrooms, locker rooms or dress codes under other Federal or state laws nor were they deciding issues related to bathrooms or locker rooms under Title VII, because these issues were not properly before them, other courts have addressed those issues. See, *Bostock*, 140 S. Ct. at 1753; *Grimm v. Gloucester County School Board*, 972 F.3d 586 (4th Cir. 2020). Federal courts addressing the issues of sex discrimination not addressed in *Bostock*, including sex discrimination in educational institutions and the use of bathrooms based on one’s sex, have extended the broad definition of sex, as articulated in *Bostock*, beyond the issues of employment discrimination the *Bostock* Court addressed. Specifically, Federal courts in this Commonwealth and outside of this Commonwealth have applied the reasoning in *Bostock* to education discrimination under Title IX, employment discrimination under Title VII and the PHRA, and employment discrimination under the Equal Protection Clause. See, e.g., *Grimm*, 972 F.3d 586.

For example, in *Grimm*, the Court applied the *Bostock* rationale when considering whether a school district violated Title IX’s prohibition against sex discrimination by implementing a policy which required students to use the sex-separated bathroom corresponding with their sex assigned at birth and prohibited students from using the sex-separated bathroom corresponding with their gender identity. *Grimm*, 972 F.3d at 616. The Court held that the policy violated Title IX’s prohibition against sex discrimination. *Grimm*, 972 F.3d at 616. Additionally, several amicus briefs were filed in *Grimm* which supported the position that the school district policy at issue violated Title IX’s prohibition against sex discrimination. The amicus briefs further supported a broad definition for the term “sex,” as used in Title IX.

While the Third Circuit has not yet had an opportunity to address the application of *Bostock* beyond employment discrimination under Title VII, district courts in this Commonwealth have recognized that, absent Third Circuit precedent to the contrary, the rationale in *Bostock* should be applied to claims of sex discrimination beyond employment discrimination under Title VII. See, e.g., *Doe v. Univ. of Scranton*, 2020 U.S. Dist. LEXIS 187526, *12-13, n.61 (M.D. Pa. October 9, 2020) (finding that in the absence of express Third Circuit precedent to the contrary, a claim of education discrimination based on sexual orientation is actionable under Title IX). Additionally, in *Stankiewicz v. Pump N’ Pantry, Inc.*, 2022 U.S. Dist. LEXIS 1452, *12-13 (M.D. Pa. January 4, 2022), the Court recognized that a claim of harassment based on one’s association with a member of a protected class, including sexual orientation, is unlawful discriminatory conduct proscribed by Title VII and the PHRA. Similarly, in *Izzard v. County of Montgomery*, 2021 U.S. Dist. LEXIS 228090, *28-29 (E.D. Pa. Nov. 29, 2021), the Court

found that a claim of employment discrimination because of sexual orientation may be brought under the Equal Protection Clause. Thus, although the *Bostock* decision was limited to claims of employment discrimination under Title VII, because they were the only claims before the Court, other courts have applied the *Bostock* rationale beyond claims of employment discrimination under Title VII. Courts are now broadly defining the term “sex” under Title IX, with respect to claims of sex discrimination in educational programs. Courts are also broadly defining the term “sex” under the PHRA, with respect to claims of sex discrimination in employment. Courts are also broadly defining the term “sex” with respect to claims of employment discrimination brought under the Equal Protection Clause.

Given these recent Federal court decisions and the support for these decisions, as expressed in the amicus briefs filed in *Grimm*, the Commission decided, based upon the power and duty afforded by the PHRA, to promulgate a regulation defining the term “sex” consistent with the manner in which the term “sex” has been interpreted by Federal courts interpreting comparable Federal statutes. This proposed rulemaking also ensures that the term “sex,” as used throughout the PHRA and the PFEOA—including in the provisions prohibiting discrimination in employment, housing, commercial property, public accommodations and educational institutions—is interpreted consistently.

Race Discrimination

With respect to race discrimination, the PHRA prohibits discrimination, on the basis of race, in employment, housing, commercial property, public accommodations and educational institutions. The PFEOA prohibits discrimination, on the basis of race, in certain educational institutions. Similar to the PHRA’s protections regarding race discrimination in employment, section 703(a)(1) of Title VII declares that it is “an unlawful employment practice for an employer to . . . otherwise discriminate against any individual . . . because of such individual’s race.” Although Commonwealth courts have addressed claims of race discrimination under the PHRA, they have not yet had an opportunity to address the manner in which the term “race,” as used in the PHRA and the PFEOA, should be interpreted.

Thus, in crafting this proposed rulemaking, the Commission turned to Title VII for guidance regarding the definition of “race,” as Commonwealth courts often do when interpreting the PHRA and the PFEOA. This proposed rulemaking explains that the term “race” includes ancestry, national origin and ethnic characteristics. This proposed rulemaking also explains that the term “race” includes interracial marriage or association. This definition for “race” is consistent with the manner in which the term “race” has been interpreted by Federal courts interpreting similar Federal statutes. Specifically, in *St. Francis College v. Al-Khazraji*, 481 U.S. 604 (1987), the United States Supreme Court explained that the term “race,” with respect to claims of discrimination brought under 42 U.S.C.A. § 1981 regarding equal rights under the law, includes protections based on one’s ancestry or ethnic characteristics. *St. Francis College*, 481 U.S. at 613. Likewise, in *Village of Freeport v. Barrella*, 814 F.3d 594 (2nd Cir. 2016), the Court explained that the term “race” includes ethnicity for purposes of 42 U.S.C.A. § 1981 and Title VII. *Barrella*, 814 F.3d at 598. Courts have also held that the term “race” includes discrimination based upon interracial marriage or association. See, e.g., *Parr v. Woodmen of the World Life Insurance Co.*, 791

F.2d 888, 892 (11th Cir. 1986). Thus, this proposed rulemaking provides clarity that the term “race,” as used in the PHRA and the PFE OA, should be interpreted consistent with the interpretation of the term “race” by Federal courts interpreting similar Federal statutes. The Commission’s proposed rulemaking also ensures that the term “race,” as used throughout the PHRA and the PFE OA—including in the provisions prohibiting discrimination in employment, housing, commercial property, public accommodations and educational institutions—is interpreted consistently.

Additionally, this proposed rulemaking specifies that race includes persons of Hispanic national origin or ancestry, including persons of Mexican, Puerto Rican, Central or South American, or other Spanish origin or culture. This definition is consistent with Federal regulations relating to the term “race.” See 29 CFR 1607.4(B) (relating to information on impact) explaining Hispanic includes persons of Mexican, Puerto Rican, Central or South American, or other Spanish origin or culture. This proposed rulemaking also specifies that race includes persons of any other national origin or ancestry, as specified by a complainant in a complaint. This definition alleviates any confusion regarding the term “race” and clarifies that race should be interpreted as including a person’s origin or culture.

Finally, this proposed rulemaking explains that the term “race” includes traits historically associated with race, including hair texture and protective hairstyles, such as braids, locks and twists. This definition is consistent with other state anti-discrimination laws, including laws in California, Connecticut, New Jersey and New York. See, e.g., New Jersey’s Law Against Discrimination, N.J.S.A. § 10:5-5(vv) and (ww) (the term “race” includes traits historically associated with race, including hair texture and protective hairstyles, such as braids, locks and twists). While the Commission recognizes that this definition of “race” has not been adopted by the few Federal courts that have had the opportunity to consider this issue, the Commission has considered this issue and determined that the term “race,” as used in the PHRA and the PFE OA, should be interpreted as including hairstyles culturally associated with race. See, e.g., *EEOC v. Catastrophe Management Solutions*, 852 F.3d 1018, 1032-1033 (11th Cir. 2016) holding that Title VII’s protections against race discrimination do not extend to hairstyles culturally associated with race. Given the Commission’s understanding of the term “race” and the Commission’s power and duty to promulgate regulations to effectuate the provisions of the PHRA and the PFE OA, the Commission defines “race” as including traits historically associated with race, including hair texture and protective hairstyles. This proposed rulemaking provides the citizens of this Commonwealth with protections similar to the protections provided by anti-discrimination laws in other states. See, e.g., NY CLS Exec § 292(37) and (38); Cal. Gov. Code § 12926(w) and (x).

Fiscal Impact

There is no fiscal impact.

Effective Date

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

Public Comment

Within 30 calendar days after the date of publication of this proposed rulemaking in the *Pennsylvania Bulletin*, interested persons are invited to submit written comments,

suggestions or objections regarding this proposed rulemaking to the Commission at RA-HRREGSCOMMENT@pa.gov. Reference Regulation No. 52-013 when submitting comments.

Persons with a disability who require an auxiliary aid or service may submit comments by using the Relay Service at 711 or (717) 787-7279 (TTY). Persons with a disability who require an accommodation, may do so by contacting RA-HRREGSCOMMENT@pa.gov.

M. JOEL BOLSTEIN,
Chairperson

Fiscal Note: 52-13. No fiscal impact; (8) recommends adoption.

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

Annex A

TITLE 16. COMMUNITY AFFAIRS

PART II. GOVERNOR’S OFFICE

Subpart A. HUMAN RELATIONS COMMISSION

CHAPTER 41. PRELIMINARY PROVISIONS

Subchapter D. PROTECTED CLASSES

- Sec.
- 41.201. Purpose.
- 41.202. Construction.
- 41.203. Enforcement.
- 41.204. Definitions.
- 41.205. Religious creed discrimination.
- 41.206. Sex discrimination.
- 41.207. Race discrimination.

§ 41.201. Purpose.

This subpart ensures that unlawful discriminatory practices proscribed by the PHRA and unfair educational practices proscribed by the PFE OA are interpreted and applied consistently. This subpart also ensures that complaints filed with the PHRC are investigated consistent with the rules outlined herein.

§ 41.202. Construction.

(a) This subpart shall be construed liberally for the accomplishment of the purposes of the PHRA and the PFE OA.

(b) This subpart shall be interpreted consistently with other Federal and State laws and regulations except when to do so would result in a narrow interpretation of the PHRA or the PFE OA.

§ 41.203. Enforcement.

This subpart shall be subject to and enforced in accordance with the PHRA, the PFE OA, Chapter 42 (relating to Special Rules of Administrative Practice and Procedure) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

§ 41.204. Definitions.

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

Complainant—A person, including the PHRC or the Attorney General, who files a complaint with the PHRC under the PHRA or the PFE OA.

Complaint—A complaint filed with the PHRC under the PHRA or the PFE OA.

PFE OA—The Pennsylvania Fair Educational Opportunities Act (24 P.S. §§ 5001—5010).

PHRA—The Pennsylvania Human Relations Act (43 P.S. §§ 951—963).

PHRC—The Pennsylvania Human Relations Commission.

Person—As defined in section 4(a) of the PHRA (43 P.S. § 954(a)).

Respondent—The person against whom a complaint was filed with the PHRC under the PHRA or the PFEOA.

§ 41.205. Religious creed discrimination.

(a) The term “religious creed,” as used in the PHRA and the PFEOA, includes all aspects of religious observance and practice, as well as belief.

(b) Religious beliefs include moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views. The fact that no group espouses these beliefs or the fact that the religious group to which the individual professes to belong may not accept this belief will not determine whether the belief is a religious belief of a complainant.

(c) This section is not intended to be exhaustive. However, the term “religious creed,” as used in the PHRA and the PFEOA, should be interpreted consistent with this section.

§ 41.206. Sex discrimination.

(a) The term “sex,” when used in connection with the unlawful discriminatory practices proscribed by the PHRA, includes, but is not limited to, the following:

(1) Pregnancy, including medical conditions related to pregnancy.

(2) Childbirth, including medical conditions related to childbirth.

(3) Breastfeeding, including medical conditions related to breastfeeding.

(4) Sex assigned at birth, including, but not limited to, male, female or intersex.

(5) A person’s gender, including a person’s gender identity or gender expression. The following apply:

(i) Gender identity or expression means having or being perceived as having a gender-related identity, appearance, expression or behavior, which may or may not be stereotypically associated with the person’s sex assigned at birth.

(ii) Gender identity or expression may be demonstrated by consistent and uniform assertion of the gender identity or any other evidence that the gender identity is sincerely held as part of a person’s core identity.

(6) Affectional or sexual orientation, including heterosexuality, homosexuality, bisexuality and asexuality. The following apply:

(i) Affectional or sexual orientation means male, female or nonbinary heterosexuality, homosexuality, bisexuality or asexuality by inclination, practice, identity or expression, having a history thereof, or being perceived, presumed or identified by others as having an orientation.

(ii) Heterosexuality means affectional, emotional, or physical attraction or behavior which is primarily directed towards persons of the other gender.

(iii) Homosexuality means affectional, emotional, or physical attraction or behavior which is primarily directed towards persons of the same gender.

(iv) Bisexuality means affectional, emotional, or physical attraction or behavior which is directed towards persons of either gender.

(v) Asexuality means the lack of sexual attraction to others, or low or absent interest in or desire for sexual or romantic activity.

(7) Differences of sex development, variations of sex characteristics or other intersex characteristics.

(b) The term “sex,” when used in connection with the unfair educational practices proscribed by the PFEOA, includes, but is not limited to, the following:

(1) Pregnancy, including medical conditions related to pregnancy.

(2) Childbirth, including medical conditions related to childbirth.

(3) Breastfeeding, including medical conditions related to breastfeeding.

(4) Sex assigned at birth, including, but not limited to, male, female or intersex.

(5) A person’s gender, including a person’s gender identity or gender expression. The following apply:

(i) Gender identity or expression means having or being perceived as having a gender-related identity, appearance, expression or behavior, which may or may not be stereotypically associated with the person’s sex assigned at birth.

(ii) Gender identity or expression may be demonstrated by consistent and uniform assertion of the gender identity or any other evidence that the gender identity is sincerely held as part of a person’s core identity.

(6) Affectional or sexual orientation, including heterosexuality, homosexuality, bisexuality and asexuality. The following apply:

(i) Affectional or sexual orientation means male, female or nonbinary heterosexuality, homosexuality, bisexuality or asexuality by inclination, practice, identity or expression, having a history thereof, or being perceived, presumed or identified by others as having an orientation.

(ii) Heterosexuality means affectional, emotional, or physical attraction or behavior which is primarily directed towards persons of the other gender.

(iii) Homosexuality means affectional, emotional, or physical attraction or behavior which is primarily directed towards persons of the same gender.

(iv) Bisexuality means affectional, emotional, or physical attraction or behavior which is directed towards persons of either gender.

(v) Asexuality means the lack of sexual attraction to others, or low or absent interest in or desire for sexual or romantic activity.

(7) Differences of sex development, variations of sex characteristics or other intersex characteristics.

(c) This section is not intended to be exhaustive. However, the term “sex,” as used in the PHRA and the PFEOA, should be interpreted consistent with this section.

§ 41.207. **Race discrimination.**

(a) The term “race,” when used in connection with the unlawful discriminatory practices proscribed by the PHRA, includes, but is not limited to, the following:

- (1) Ancestry, national origin or ethnic characteristics.
- (2) Interracial marriage or association.
- (3) Traits historically associated with race, including, but not limited to:
 - (i) Hair texture.
 - (ii) Protective hairstyles, such as braids, locks and twists.
- (4) Persons of Hispanic national origin or ancestry, including, but not limited to, persons of Mexican, Puerto Rican, Central or South American, or other Spanish origin or culture.
- (5) Persons of any other national origin or ancestry as specified by a complainant in a complaint.

(b) The term “race,” when used in connection with the unfair educational practices proscribed by the PFEOA, includes, but is not limited to, the following:

- (1) Ancestry, national origin or ethnic characteristics.
 - (2) Interracial marriage or association.
 - (3) Traits historically associated with race, including, but not limited to:
 - (i) Hair texture.
 - (ii) Protective hairstyles, such as braids, locks and twists.
 - (4) Persons of Hispanic national origin or ancestry, including, but not limited to, persons of Mexican, Puerto Rican, Central or South American, or other Spanish origin or culture.
 - (5) Persons of any other national origin or ancestry as specified by a complainant in a complaint.
- (c) This section is not intended to be exhaustive. However, the term “race,” as used in the PHRA and the PFEOA, should be interpreted consistent with this section.

[Pa.B. Doc. No. 22-519. Filed for public inspection April 8, 2022, 9:00 a.m.]

STATEMENTS OF POLICY

Title 31—INSURANCE

INSURANCE DEPARTMENT

[31 PA. CODE CH. 89]

Non-Enforcement of Prohibition on Data Collection—Statement of Policy; Notice 2022-05

The Insurance Department (Department) adds the following statement of policy in § 89.12a (relating to application exceptions—statement of policy) regarding non-enforcement of the provision in § 89.12(e) (relating to application forms) originally published in the July 1, 1969 Guidelines for Examination of Policies, Applicable Rates and Related Forms. The other provisions in § 89.12 remain in effect.

Background

The provision in § 89.12(e) for individual and group policy forms for life, accident and health insurance sets forth guidance to specify that those policies were not allowed to be underwritten on the basis of “race or color.” The provision addressed the inequities that were the focus of the landmark Civil Rights Act of 1964 (Pub.L. No. 88-352), which prohibited “discrimination or segregation on the ground of race, color, religion, or national origin.” Following that National precedent, on July 1, 1969, the Department issued § 89.12 for application forms, including: “Questions as to race or color are not permitted on the application.” 31 Pa. Code § 89.12(e).

The 1969 prohibition was, at the time, ground-breaking in its approach to racial and ethnic equality. Significantly, in that era, while the Commonwealth’s insurance law did prohibit unfair discrimination, it did not call out race or color or ethnicity as a discriminatory factor. See section 626 of The Insurance Company Law of 1921 (40 P.S. § 761); see also section 353 of The Insurance Company Law of 1921 (40 P.S. § 477a). Not until 1974, with the passage of the Unfair Insurance Practices Act (40 P.S. §§ 1171.1—1171.15), was discrimination in underwriting or eligibility requirements on the basis of “race, religion, nationality or ethnic group” specifically prohibited in the Commonwealth’s insurance laws. See 40 P.S. § 1171.5(a)(7)(iii).

In the 50 years since the 1969 issuance, society has grappled with racial and ethnic tensions, and has come to the current decade recognizing that inequities can only be addressed if they are adequately identified. To identify those issues and measure improvement in addressing them, data is necessary. The National Association of Insurance Commissioners in 2020 created a Special Committee on Race and Insurance, with one charge focusing specifically on the issue of the need to “consider enhanced data reporting. . . to identify race and other sociodemographic factors of insureds. . . .”¹ The Federal government likewise has more recently focused on data collection. President Joe Biden, in one of his first acts as President, issued an Executive Order titled “Advancing Racial Equity and Support for Underserved Communities through the Federal Government.” Executive Order 13985 of Janu-

¹ https://content.naic.org/sites/default/files/national_meeting/_Race%20Ins%20FINAL.pdf (at Attachment One-A). See also, 2022 Charge # 1 of the NAIC Special (EX) Committee on Race and Insurance, https://content.naic.org/cmte_ex_race_and_insurance.htm (seeking to address unseen “practices within the insurance sector that potentially disadvantage people of color and/or historically underrepresented groups.”). This work continues as a regulatory priority in 2022 for the NAIC. <https://content.naic.org/about/regulatory-priorities>. (All links accessed on March 24, 2022.)

ary 20, 2021 (86 FR 7009 (January 20, 2021)). Consistent with that directive, the Centers for Medicare & Medicaid Services of the Department of Health and Human Services, in its proposed Notice of Benefit and Payment Parameters for 2023, has proposed requiring insurers to report race and ethnicity data to address health equity issues:

For race and ethnicity data, we propose to require issuers to report race and ethnicity in accordance with the October 30, 2011 HHS Implementation Guidance on Data Collection Standards for Race, Ethnicity, Sex, Primary Language, and Disability Status (2011 HHS Data Standards) which is collected at a granular level that would allow HHS to better analyze more subpopulations than our current data allows us to do, thereby allowing us to consider more areas of health equity, as well as to better address discrimination in health care and health disparities. . . .

[This data collection] would serve the compelling government interest of promoting equity in health coverage and care. . . .

Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2023; Proposed Rule, 87 FR 584, 628 (January 5, 2022). Id. at 629-30 & n.171 (referencing Executive Order 13985). See also Pennsylvania COVID-19 Response Task Force: Health Disparity. Policy Recommendation Report, July 22, 2020.²

Purpose

Recognizing the importance of data collection to promote health equity, the Department is announcing its policy of non-enforcement of the prohibition under § 89.12(e). To foster diversity, equity and inclusion efforts, the Department will not enforce the provision in subsection (e) and will permit entities issuing insurance products regulated by the Department to collect race and ethnicity data on an application for diversity, equity and inclusion purposes only. Further, because the Commonwealth’s insurance laws clearly prohibit discrimination, including discrimination on the basis of race and ethnicity, see sections 353 and 626 of The Insurance Company Law of 1921 (40 P.S. §§ 477a and 761) and section 5(a)(7) of the Unfair Insurance Practices Act, the Department clarifies that both questions as to race or color and data collection will be permitted when asked or collected in a manner that promotes health equity, but both activities must be done in a manner that guards against potentially discriminatory uses of this data. That is, where this information is sought to be collected to promote health equity, and not for eligibility, underwriting or rating purposes, the information may be collected, either on an application or in conjunction with the application and enrollment process. Unfair discrimination remains prohibited.

Note that for some types of insurance, such as comprehensive major medical insurance, a policy may not be

² The Task Force Report included this recommendation regarding health disparities:

5. Continue accurately tracking (and mandating tracking) all races, ethnicities, and identities as this provides the healthcare industry with valuable insights.

The push to include SOGI data during the pandemic, through the work of the Task Force, was highlighted as a needed data set and stakeholders were happy to see that development.

Pennsylvania COVID-19 Response Task Force: Health Disparity. Policy Recommendation Report, July 22, 2020, at page 19. <https://www.governor.pa.gov/wp-content/uploads/2020/08/20200813-COVID-19-Health-Disparity-Report.pdf> (accessed Feb. 14, 2022). The data collected included identification of race in, inter alia, “access to insurance.” See id. at Appendix 1.

underwritten and data would not be able to be used to impact a small group's or individual's premium rate as an explicit matter of law.³ For other types of insurance, policies may be subject to eligibility or underwriting criteria or to rating variations based on demographic and other factors, albeit within the constraints of the laws prohibiting unfair discrimination. See 40 P.S. §§ 477a, regarding rates, 671, regarding rates and benefits, and 1171.5(a)(7), regarding rates; underwriting based on, inter alia, race and ethnicity.

Recognizing the statutory prohibitions against unfair discrimination, and in light of the discriminatory uses to which race and ethnicity data have been used in times past, an insurer may find it prudent to assure the applicant of, and demonstrate to the Department, the insurer's non-discriminatory purposes for the data collection, that is, to promote diversity, equity and inclusion. To that end, an insurer soliciting race and ethnicity data may be expected to clearly articulate to prospective insureds and to enrollees:

- (1) why the data is being requested;
- (2) how it will support efforts to provide equitable care;
- (3) how the data will be maintained as private; and
- (4) that their disclosure of demographic data is: (i) voluntary, with "prefer to not answer" and "other" options available for all demographic questions; and (ii) based on self-identification.

Further, particularly where eligibility for a policy may be based on information supplied on an application, or where a policy may be underwritten or rated using that information, an insurer may find it prudent to request the data on a separate document or at a point in time after the individual has been enrolled and the individual's premium established.⁴

The Department is committed to fostering diversity, equity and inclusion, and supports the efforts of insurers to identify existing disparities, evaluate the effectiveness

³ See 42 U.S.C.A. § 300gg-1 (as added in 1996 as former § 300gg-11), regarding guaranteed availability, and § 300gg-2 (as added in 1996 as former § 300gg-12), regarding guaranteed renewability. See also Pennsylvania Health Care Insurance Portability Act (40 P.S. §§ 1302.1—1302.7). Thus, neither race nor ethnicity, nor any other potentially discriminatory factor, may be used to determine eligibility or otherwise underwrite comprehensive major medical health insurance in the individual or small group market, and no person in a large group may be excluded from the group based on their race or ethnicity.

Moreover, in the individual and small group markets, the Affordable Care Act provided an additional protection by requiring that rating be based on statewide single risk pools, and curtailing the very few factors that may be used to adjust an individual's rate (family size, age, tobacco use and geography). See 42 U.S.C.A. § 18032, regarding single risk pools; § 300gg, regarding limited rating factors. Moreover, whether individual, small group or large group coverage, health status factors may not be used to vary an individual's premium. 42 U.S.C.A. § 300gg-4.

⁴ This guideline focuses on the provision articulated in § 89.12(e), which relates to life, accident and health insurance. Insurers that issue other types of insurance may also seek to collect data on race and ethnicity to promote diversity, equity and inclusion; the same prudential measures are commended to those insurers.

of initiatives to address those disparities and ultimately to eradicate inequities in the insurance marketplace.

Force and Effect

This statement of policy provides guidance to the Department's staff, insurance companies, consumers and the general public regarding the nonenforcement of § 89.12(e) for purposes of fostering diversity, equity and inclusion. This statement of policy does not constitute a rule or regulation entitled to the force and effect of law.

Fiscal Impact and Paperwork Requirements

This statement of policy does not have a fiscal impact nor does it impose additional paperwork requirements, as it does not alter the filing requirements set forth in § 89.12(e).

Further Information

Specific questions relating to information provided in this statement of policy may be directed to the Insurance Department, Office of Chief Counsel, 1341 Strawberry Square, Harrisburg, PA 17120 or by e-mail to ercarlisle@pa.gov.

Effective Date

This statement of policy takes effect immediately upon publication in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

(Editor's Note: The provisions of 31 Pa. Code Chapter 89 are amended by adding § 89.12a to read as set forth in Annex A.)

Fiscal Note: 11-2022-05. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 31. INSURANCE

PART IV. LIFE INSURANCE

CHAPTER 89. APPROVAL OF LIFE, ACCIDENT AND HEALTH INSURANCE

Subchapter A. REQUIREMENTS FOR ALL POLICIES AND FORMS

PREPARATION OF FORMS

§ 89.12a. Application exceptions—statement of policy.

Notwithstanding § 89.12(e) (relating to application forms), to foster diversity, equity and inclusion efforts, an insurer may, on an application, collect race and ethnicity data for diversity, equity and inclusion purposes only.

[Pa.B. Doc. No. 22-520. Filed for public inspection April 8, 2022, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Agricultural Research Grant Applications

The Department of Agriculture (Department) is soliciting applications to conduct agricultural research on one or more of the following research topic areas, with the research to be conducted from July 1, 2022, to June 30, 2023, with the possibility, but not the assurance, of extending that research into subsequent years. Funding is contingent upon 2022-2023 budget appropriations. This notice establishes the procedures by which grant applications will be solicited and reviewed, and by which grants will be awarded.

1. *Grant Solicitation.* The Department will accept grant applications for the purposes, in the form and according to the schedule set forth as follows. Following publication, additional publication and dissemination of this notice shall be made to applicants who have previously submitted grant applications to or received grants from the Department, as well as any individuals or entities who have requested notification from the Department of grant availability.

2. *Research Topic Areas.* Though not exclusive of original research topics, the Department is particularly interested in funding projects in the following areas:

a. *Ongoing multiyear research projects.* The Department has, in previous years, provided funding for various multiyear research projects that might be continued or extended to complete research the Department identifies as addressing continued priorities of the agricultural industry, such as:

- Examining the economic impact of pest infestations like Phorid Flies and Spotted Lanternflies and identifying mitigating measures.

- Measuring the impacts on the Chesapeake Bay of farm management practices that have not received Federal or State government cost-sharing assistance.

- Implementing Chapter 5 of the Pennsylvania Pollinator Protection Plan (see <https://ento.psu.edu/pollinators/pollin-spotlight-items/the-pennsylvania-pollinator-protection-plan-p4>).

b. *Natural resource conservation, climate and the quality of our soil, water and air.* The Department is seeking new proposals that address agriculture's role in stewarding natural resources and innovations in combatting and adapting to climate change. Specifically, the Department requests applications for projects that:

- Provide ongoing water quality monitoring in high-priority streams identified in version 3 of the Chesapeake Bay Watershed Implementation Plan.

- Provide ongoing air quality monitoring around high-priority production areas, particularly mushroom facilities in Chester and Berks Counties.

- Quantify the benefits to soil health and climate change resiliency from best management practices in conservation.

- Quantify reductions in carbon emissions through on-farm energy efficiency measures.

- Identify opportunities in agricultural production practices that could be conducted concurrently with solar energy production.

- Integrate silvopasture and other agro-forestry revenue streams into dairy, livestock or poultry farms.

- Identify soil testing and remediation strategies for urban agriculture.

- Assess the adoption and implementation of best management practices by farmers that are part of conservation plans to ensure compliance and appropriate credit is received.

- Identify and determine the applicability and effectiveness of nutrient management technologies to assist the Commonwealth in assessing the utility of various approaches.

- Assess relationships among reclaimed land, biosolid applications and water quality.

- Identify strategies for invasive species management.

c. *Human resources in agriculture.* The Department is interested in further scientific study in areas such as:

- The impact of stress and mental health challenges on farmers' long-term success.

- Strategies for recruiting and retaining agriculture's future workforce.

- Assessing the quantity and quality of available on-farm and off-farm housing for agricultural workers, including farm owners.

d. *Economics in agriculture.* The Department would like to evaluate the economic impact and long-term effectiveness of:

- Federal Milk Marketing Orders operating in this Commonwealth compared to alternative arrangements, such as a single state Federal milk marketing order in use in California.

- The Dairy Investment Program

- The Farmers Market Nutrition Program

- The Resource Enhancement and Protection Program

- The Conservation Excellence Grant Program

- The Farm Vitality Grant Program

- The Urban Agriculture Grant Program

- The Farm to School Grant Program

- The Agriculture and Youth Grant Program

- The Small Meat Processors Grant Program

- The Commonwealth Specialty Crop Grant Program

e. *Information and data science in agriculture.* The Department seeks applications that propose methods of integrating data in ways that provide farmers in this Commonwealth with actionable information on enhancing their farm operations and seizing market opportunities.

f. *Consumer-focused research.* The Department seeks applications that study consumer interest in:

- Biodegradable packaging and other environmental factors in selecting food and beverage products.
- Pharmaceutical or industrial uses for milk proteins or other milk components.

g. *Animals and agriculture.* The Department seeks applications that address animal health concerns, such as:

- *One Health*—Proposals that promote humans, the environment, animals, living together harmoniously.
- *Animal Health*—Proposals that improve or seek to understand aspects of animal health important to agriculture in this Commonwealth.
- *Diagnosis of Animal Diseases*—Proposals that promote the diagnosis of animal diseases that are important to Commonwealth animal agriculture.
- *Animal Productivity*—Proposals that seek to improve the productivity of agricultural animals in this Commonwealth.
- *Animal Welfare*—Proposals that seek to improve the welfare of agricultural animals in this Commonwealth.

3. *Grant Agreement.* The terms and conditions of the grant will be governed by a grant agreement between the Department and the applicant which shall be tendered to the applicant for execution, returnable in no more than 30 days. The Department may require that the grant agreement be submitted and executed electronically.

4. *Application Delivery and Deadline.* Interested applicants must submit a complete electronic research project proposal and grant application using the Department of Community and Economic Development's Electronic Single Application web site at <https://www.esa.dced.state.pa.us/Login.aspx> by Friday, May 13, 2022, at 4 p.m. Questions regarding this online application process may be directed to Morgan Sheffield, Grants Coordinator for the Department, at (717) 787-3568.

5. *Scoring of Applications.* The Department will evaluate each complete and timely-filed project proposal and grant application it receives, using a 100-point scale assessing:

- Up to 15 points for the research project needs statement.
- Up to 15 points for the impact of research outcomes, including enhancement of diversity, equity and inclusion.
- Up to 30 points for the research methodology.
- Up to 10 points for project evaluation and replicability.
- Up to 20 points for support and participation from industry.
- Up to 10 points for diversity of the research team.

6. *Scores.* Upon completion of evaluations, the Department will prepare a record identifying each complete and timely-filed project proposal and grant application re-

ceived and the numerical score assigned to each. The Department shall award grants based upon its evaluation and scoring.

7. *Multiyear Projects or Extensions.* The Department may award grant funding for multiyear projects or provide an extension of time to complete an ongoing project, if the Department identifies that a multiyear term or an extension advances the Department's objectives and the grant's likelihood of achieving its stated goals. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice.

8. *Notice of Award.* Applicants shall be notified by mail of the decision on their grant applications by the Department. Best efforts will be made to do so within 15 days of the application deadline.

9. *Grant Agreement.* With the mailed grant award notice, the Department will provide applicants with a grant agreement for execution and return within 30 days or instructions as to finalizing the grant agreement electronically. The Department will obtain the required Commonwealth signatures on the grant agreements and return a copy of the fully-executed grant agreement to the applicant. The grant agreement is not effective, and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance of the project and submit such information as the Department may require.

10. *Nonmatching Cost-Reimbursable Grant.* Grants made hereunder do not require the applicant secure or devote a matching sum to the project, but outside funding may be considered as an evaluation criterion under section 5(c) of this solicitation. Payment of grant funds will occur on a reimbursement basis, with the possibility upon the written submission of justification and subsequent approval of the Department of an advance payment option.

11. *Allowable Indirect Cost Reimbursement.* Grants made hereunder are subject to an indirect cost cap of 15% of total direct project costs. For the purpose of this research grant funding solicitation, indirect costs shall include administrative salaries and benefits, office supplies and equipment, facility related cost including maintenance and repairs, telephones, memberships/dues, freight/postage cost and any consultant related costs associated with the administration of this research grant.

12. *Reporting Requirements.* Upon completion of research projects funded through this program, grant recipients will submit to the Department within 60 days a final report detailing the nature of the questions under study, an explanation of the research design and methods, findings of the research and recommendations for future study.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 22-521. Filed for public inspection April 8, 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 March 29, 2022.

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

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
03-29-2022	Fulton Financial Corporation Lancaster Lancaster County	Filed
	Application for approval to acquire 100% of Prudential Bancorp, Inc., Philadelphia, PA and thereby indirectly acquire 100% of Prudential Bank, Philadelphia, PA.	

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. 22-522. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Weatherization Assistance Program; Proposed State Plan; Virtual Public Hearing

The Department of Community and Economic Development (Department) publishes notice of a public hearing to be held electronically, by means of web/conference call on Wednesday, April 20, 2022. This public hearing will only be held virtually by means of the method listed. There will be no in-person opportunity to attend the virtual public hearing.

The virtual public hearing by means of the web/conference call will be held at 1 p.m. and will last as long as there are comments to be received. This more widely available computer access/conference call will replace the onsite public hearing. The format will be more accessible than an in-person meeting because those who wish to make comment may participate directly from their electronic device, telephone or computer. Access information can be found at the end of this notice.

The purpose of this virtual public hearing is to receive comments on the proposed Pennsylvania 2022-2023 annually appropriated United States Department of Energy (DOE) Weatherization Assistance Program (WAP) State Plan (Plan).

The proposed 2022-2023 Plan will authorize the formula-based distribution for each county. Specific performance goals emphasize production, quality of the work

product, prompt, accurate and complete reporting, and compliance with program standards and regulations.

The Plan includes the following changes:

- A plan to review the Commonwealth's options due to delays in the availability of the WAP Assistant, National Energy Audit Tool and the Manufactured Home Energy Audit Tool and to receive DOE approval of the Home Energy Audit Processes, Policies and Procedures to include an energy audit tool for single family and manufactured housing.
- Multifamily policies and procedures as well as audit tool research will continue to be explored to move forward for DOE approval.
- The name change of subgrantee Scranton/Lackawanna Human Development Agency to Agency on Community EmPOWERment of the National Environmental Policy Act (42 U.S.C.A. §§ 4321—4370m-11).
- Categorical eligibility will have two additional categories: Low Income Home Energy Assistance Program (LIHEAP) and United States Housing and Urban Development means-tested programs. Already categorically eligible: Supplemental Security Income and Temporary Assistance for Needy Families.
- The DOE Weatherization Service Provider Allocation formula has been changed to reflect the recommendations of the Allocation Committee. Poverty and Heating Degree Day data has been updated, a base amount using the legacy allocation formula is utilized and a new category of energy burden has been added.

- Reweathering language updates based on DOE language clarification regarding weatherization with other Federal funds. The Commonwealth will continue to define both LIHEAP and DOE completed units as weatherized, and those units cannot be weatherized until 15 years after the original weatherization completion date.

- Health and Safety Plan updates to include utilizing a new DOE health and safety template, repairing or replacing existing air-cooling systems for vulnerable citizens, a DOE-developed deferral tracking spreadsheet will be provided and required.

- T/TA Plan updates to include a plan to provide reimbursement for direct hire and subcontractors' attendance in Home Energy Professional and required trainings.

- Diversity, equity and inclusion language to include current trainings which are provided and other activities conducted at the Grantee/State level and suggestions for subgrantees.

There is a continued National focus on coordination of efforts where other health and safety, lead-abatement, utility weatherization and housing rehab services are coordinated locally with weatherization services.

Copies of the proposed 2022-2023 DOE WAP Plan may be obtained beginning April 8, 2022, by contacting the

Department of Community and Economic Development, Center for Community Services, (717) 425-7597 or it can be downloaded from the Department's web site at www.dced.pa.gov. Written comments may be submitted electronically to ra-wxmail@pa.gov until 5 p.m. on April 20, 2022. There is no registration. Individuals may join the virtual public hearing by connecting to Microsoft Teams at https://teams.microsoft.com/l/meetup-join/19%3ameeting_OW12ZTdhM2EtMGZjOS00ZTk4LTk4OGItNW12MjQ4NTQyYTUx%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%22c8c9df7c-1884-4a14-820e-8fc755829b57%22%7d. Individuals can join the virtual public hearing by phone at (267) 332-8737. The conference ID number is 666 136 10#.

The virtual public hearing will be shortened if there is no one to testify or there is minimal response.

Persons with a disability who wish to participate in this virtual public hearing should contact Yvonne Adams at (717) 425-7597 to discuss how the Department may accommodate their needs.

NEIL WEAVER,
Acting Secretary

[Pa.B. Doc. No. 22-523. Filed for public inspection April 8, 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 Chapter 92a NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.

- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

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

Section II identifies individual NPDES permit applications received and draft permits indicating DEP’s tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of 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, NOIs and draft permits, where applicable, may be reviewed at the DEP office that received the application or NOI. Members of the public are encouraged to use DEP’s website to obtain additional information as discussed previously.

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

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

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES_SERO@pa.gov for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES_NCRO@pa.gov for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES_Permits@pa.gov.

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

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if 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>
0113828	Joint DEP/PFBC Pesticides Permit	Renewal	Lowenthal Justina 1198 Bullfrog Road Fairfield, PA 17320-9129	Freedom Township Adams County	SCRO
0122803	Joint DEP/PFBC Pesticides Permit	New	Oliver Randall P 1450 Bullfrog Road Fairfield, PA 17320-9133	Freedom Township Adams County	SCRO
0913996	Joint DEP/PFBC Pesticides Permit	Renewal	Cornwells Heights Sr Apartments 1100 Gravel Pike Bensalem, PA 19020-3600	Bensalem Township Bucks County	SERO
0914819	Joint DEP/PFBC Pesticides Permit	Renewal	Mussio Tim & Kathy 236 Cafferty Road Pipersville, PA 18947-9337	Tinicum Township Bucks County	SERO
0916807	Joint DEP/PFBC Pesticides Permit	Renewal	Patterson Patty 3054 Ashmill Road Doylestown, PA 18901	Buckingham Township Bucks County	SERO
0917813	Joint DEP/PFBC Pesticides Permit	Renewal	Regency at Yardley c/o Assoc Mid Atlantic 165 Regency Boulevard Yardley, PA 19067-6444	Lower Makefield Township Bucks County	SERO
0919815	Joint DEP/PFBC Pesticides Permit	Renewal	Brown Ann 3855 Lehnenberg Road Riegelsville, PA 18077-9701	Durham Township Bucks County	SERO
1513834	Joint DEP/PFBC Pesticides Permit	Renewal	Hattersley Beverly 275 Twinbrook Road Berwyn, PA 19312	Easttown Township Chester County	SERO
1513874	Joint DEP/PFBC Pesticides Permit	Renewal	Leaman Dick 317 Boot Road Malvern, PA 19333	Malvern Borough Chester County	SERO
1513925	Joint DEP/PFBC Pesticides Permit	Renewal	Pyle Joe 601 Cricket Wood Road West Chester, PA 19382	Thornbury Township Chester County	SERO
5922801	Joint DEP/PFBC Pesticides Permit	New	Pine Hill Inc. P.O. Box 62 Blossburg, PA 16912-0062	Ward Township Tioga County	NCRO
6722802	Joint DEP/PFBC Pesticides Permit	New	Grandview Golf Club 2779 Carlisle Road York, PA 17408-1414	Dover Township York County	SCRO
1505402	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Londonderry Township Chester County	SERO
PA0013714	Major Industrial Waste Facility >= 250 MGD Individual NPDES Permit	Amendment Minor	Constellation Energy Generation, LLC Eddystone Generating Station 1 Industrial Highway Eddystone, PA 19022	Eddystone Borough Delaware County	SERO
PA0039551	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Lebanon Valley MHP LLC 687 Integrity Drive Lititz, PA 17543-5003	Bethel Township Lebanon County	SCRO
PA0110442	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	ETS Properties 2114 14th Avenue Altoona, PA 16601	Bedford Township Bedford County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
3885409	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Lebanon Valley MHP LLC 687 Integrity Drive Lititz, PA 17543-5003	Bethel Township Lebanon County	SCRO
5298404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Delaware Valley School District 236 Route 6 Milford, PA 18337-9347	Dingman Township Pike County	NERO
PAG123564	PAG-12 NPDES General Permit for CAFOs	Amendment	Buckwalter Farms LLC 350 Rock Point Road Marietta, PA 17547-9209	East Donegal Township Lancaster County	SCRO
6722402	Pump Stations Individual WQM Permit	New	Dover Township York County 2480 W Canal Road Dover, PA 17315	Dover Township York County	SCRO
WQG02222202	Pump Stations Individual WQM Permit	New	Royalton Borough Dauphin County 101 Northumberland Street Middletown, PA 17057-1612	Royalton Borough Dauphin County	SCRO
6722403	Sewer Extensions Individual WQM Permit	New	Spring Grove Borough York County 1 Campus Avenue Spring Grove, PA 17362-1412	Spring Grove Borough York County	SCRO
PA0265861	Single Residence STP Individual NPDES Permit	Transfer	Williams Naomi 3740 Spring Road Carlisle, PA 17013-8704	Middlesex Township Cumberland County	SCRO
1022405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Campbell Greg 232 Ridge Road Valencia, PA 16059-1626	Jefferson Township Butler County	NWRO
1622402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Fosbaugh Christina 121 Main Street Shippensburg, PA 16254	Elk Township Clarion County	NWRO
2113402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Williams Naomi 3740 Spring Road Carlisle, PA 17013-8704	Middlesex Township Cumberland County	SCRO
2522405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Sandra & William Thornton 262 Red Mills Road Pine Bush, NY 12566-6218	Conneaut Township Erie County	NWRO
3122401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Bell Jody M 3661 E Kaibab Circle Salt Lake City, UT 84109-2309	Union Township Huntingdon County	SCRO
3722402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Barkey Ronald 818 Des Moines Street Des Moines, IA 50309-5466	Plain Grove Township Lawrence County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
5005401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Cryder Judith L 101 Fleisher Road Marysville, PA 17053-9531	Rye Township Perry County	SCRO
6222403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kersnick Brian 10643 Keepville Road Albion, PA 16401-8415	Deerfield Township Warren County	NWRO
PA0083674	Small Flow Treatment Facility Individual NPDES Permit	Transfer	King Wolf Enterprise P.O. Box 454 Chambersburg, PA 17201-0454	Straban Township Adams County	SCRO
PA0110931	Small Flow Treatment Facility Individual NPDES Permit	Transfer	Yoder Daniel & Yoder Diane P.O. Box 333 Manns Choice, PA 15550-0333	Napier Township Bedford County	SCRO
0192403	Small Flow Treatment Facility Individual WQM Permit	Transfer	King Wolf Enterprise P.O. Box 454 Chambersburg, PA 17201-0454	Straban Township Adams County	SCRO
0571402	Small Flow Treatment Facility Individual WQM Permit	Transfer	Yoder Daniel & Yoder Diane P.O. Box 333 Manns Choice, PA 15550-0333	Napier Township Bedford County	SCRO
WQG02212201	WQG-02 WQM General Permit	New	Lower Allen Township Authority Cumberland County 120 Limekiln Road New Cumberland, PA 17070-2428	Lower Allen Township Cumberland County	SCRO
WQG0222002	WQG-02 WQM General Permit	Amendment	Capital Region Water 212 Locust Street Suite 500 Harrisburg, PA 17101-1510	Harrisburg City Dauphin County	SCRO
WQG02222201	WQG-02 WQM General Permit	New	Capital Region Water 212 Locust Street Suite 500 Harrisburg, PA 17101-1510	Harrisburg City Dauphin County	SCRO
WQG02672201	WQG-02 WQM General Permit	New	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Fairview Township York County	SCRO

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.

Northwest Regional Office

PA0290475, Sewage, SIC Code 4952, 8800, **Brian Kersnick**, 10643 Keepville Road, Albion, PA 16401-8415. Facility Name: Brian Kersnick SRSTP. This proposed facility is located in Deerfield Township, **Warren County**.

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

The receiving stream is the Allegheny River, located in State Water Plan watershed 16-F and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0 Inst Min	XXX	XXX	9.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
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

PA0275875, Concentrated Animal Feeding Operation (CAFO), **Heisler's Egg Farm (Heisler's Egg Farm CAFO)**, 757 Valley Road, Tamaqua, PA 18252-5005.

Heisler's Egg Farm has submitted an application for an Individual NPDES permit for a renewal of a CAFO known as Heisler's Egg Farm CAFO, located in Walker Township, **Schuylkill County**.

The CAFO is situated near Beaver Creek (HQ-CWF, MF) in Watershed 3-A, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO will be designed to maintain an animal population of approximately 1,522.90 animal equivalent units (AEUs) consisting of 485,000 Layers. Solid Layer manure will be stored in 4 roofed manure storage structures. Egg Wash water is treated in an Egg Wash Water Treatment Facility onsite. 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.

PA0246417, Storm Water, SIC Code 5015, **State Line Salvage, Inc.**, 675 Nottingham Road, Peach Bottom, PA 17563-9749. Facility Name: State Line Salvage Facility. This existing facility is located in Fulton Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary of Conowingo Creek (HQ-CWF, MF), is located in State Water Plan watershed 7-K 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, Outfall 002, and Outfall 003:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs), including applicable BMPs from Appendix O from the PAG-03 (effective 9/24/16 and currently administratively extended)
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmark for TSS and Oil and Grease)
- Other Requirements

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

The EPA Waiver is in effect.

PA0291549, Storm Water, SIC Code 4225, **Amazon.com Services, LLC**, P.O. Box 80842, Seattle, WA 98108-0842. Facility Name: Amazon.com Services LLC—HDC3. This proposed facility is located in Bethel Township, **Berks County**.

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

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

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

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

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

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

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD.—Limits.

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

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs), including applicable BMPs from Appendix L from the PAG-03
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmarks for TSS, Oil and Grease)
- Other Requirements

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

The EPA Waiver is in effect.

PA0261734, Sewage, SIC Code 8811, **Genevieve E Moore & Stephen J Moore**, 4350 Old Orchard Road, York, PA 17402-3322. Facility Name: Stephen Moore Res. This existing facility is located in Springettsbury Township, **York 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 of Kreutz Creek (WWF, MF), is located in State Water Plan watershed 7-I and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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
	Report Annl Avg	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	5.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

PA0291536, Sewage, SIC Code 6514, **Jody M Bell**, 3661 E Kaibab Circle, Salt Lake City, UT 84109-2309. Facility Name: Jody Bell Properties. This proposed facility is located in Union Township, **Huntingdon County**.

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

The receiving stream(s), Little Trough Creek (TSF, MF), is located in State Water Plan watershed 11-D and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .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 (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.0 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 717-705-4732.

The EPA Waiver is in effect.

Southeast Regional Office

PA0020397, Sewage, SIC Code 4952, **Borough of Bridgeport**, P.O. Box 148, Bridgeport, PA 19405-0148. Facility Name: Borough of Bridgeport WWTP. This existing facility is located in Upper Merion 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), Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.9 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum Daily</i>	
PCBs Dry Weather Analysis (ug/L)	XXX	XXX	XXX	Report Annl Avg	Report Daily Max	XXX
PCBs Wet Weather Analysis (ug/L)	XXX	XXX	XXX	Report Annl Avg	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.9 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	1,000.0 Avg Qrtly	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .9 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</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	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	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	187	300	25.0	40.0 Wkly Avg	XXX	50
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	225	338	30.0	45.0 Wkly Avg	XXX	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	1,000 90% Samples	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	150.0	XXX	XXX	20.0	XXX	40
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

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

- Hauled in waste restriction
- Optimization of chlorine dosage
- Notification of designation of responsible operator
- CSO condition
- Solids management for non-lagoon system
- Schuylkill River PCB monitoring
- DRBC 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 not in effect.

PA0039004, Sewage, SIC Code 4952, **Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446-5019. Facility Name: Towamencin Municipal Authority STP. This existing facility is located in Towamencin 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), Towamencin Creek (TSF), Unnamed Tributary to Towamencin Creek (TSF, MF), and Towamencin Creek (TSF, MF), is located in State Water Plan watershed 3-E and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 6.5 MGD*.—Limits.

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

The proposed effluent limits for Outfall 002 are based on a design flow of 6.5 MGD*.—Limits.

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

The proposed effluent limits for Outfall 003 are based on a design flow of 6.5 MGD*.—Limits.

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

*Total combined flow from all three outfalls is 6.5 MGD as Annual Average.

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD.—Limits.

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

The proposed effluent limits for Outfall 005 are based on a design flow of 0 MGD.—Limits.

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

The proposed effluent limits for Outfall 006 are based on a design flow of 0 MGD.—Limits.

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

The proposed effluent limits for Outfall 007 are based on a design flow of 0 MGD.—Limits.

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

The proposed effluent limits for Outfall 101 are based on a design flow of 6.5 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Osmotic Pressure (mOs/kg) Internal Monitoring Point	XXX	XXX	XXX	52.0	Report	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 6.5 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Chlorodibromomethane Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
Dichlorobromomethane Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 6.5 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Chlorodibromomethane Internal Monitoring Point	XXX	XXX	XXX	0.00108	0.00198	0.00271
Dichlorobromomethane Internal Monitoring Point	XXX	XXX	XXX	0.00129	0.00236	0.00322

The proposed effluent limits for Outfall 101 are based on a design flow of 6.5 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Osmotic Pressure (mOs/kg) Internal Monitoring Point	XXX	XXX	XXX	50.0	51.8	51.8

The proposed effluent limits for Outfall 101 are based on a design flow of 6.5 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>Daily Maximum</i>	
Toxicity, Chronic - Ceriodaphnia Survival (TUc) Internal Monitoring Point	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc) Internal Monitoring Point	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Survival (TUc) Internal Monitoring Point	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Growth (TUc) Internal Monitoring Point	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 6.5 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>Daily Maximum</i>	
pH (S.U.) Internal Monitoring Point	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Dissolved Oxygen Internal Monitoring Point	XXX	XXX	6.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC) Internal Monitoring Point	XXX	XXX	XXX	0.014	XXX	0.047
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Internal Monitoring Point Nov 1 - Apr 30	1,080	1,625	XXX	20.0	30.0 Wkly Avg	40
May 1 - Oct 31	540	810	XXX	10.0	15.0 Wkly Avg	20
Raw Sewage Influent Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report Report	XXX XXX	XXX XXX	Report Report	XXX XXX	XXX XXX
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Internal Monitoring Point	1,625	2,435	XXX	30.0	45.0 Wkly Avg	60
Total Dissolved Solids Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml) Internal Monitoring Point Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml) Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen Internal Monitoring Point Nov 1 - Apr 30	108	XXX	XXX	2.0	XXX	4
May 1 - Oct 31	54	XXX	XXX	1.0	XXX	2
Total Phosphorus Internal Monitoring Point Nov 1 - Mar 31	108	XXX	XXX	2.0	XXX	4
Apr 1 - Oct 31	54	XXX	XXX	1.0	XXX	2
Aluminum, Total Internal Monitoring Point	Report	Report Daily Max	XXX	Report	Report	XXX
Copper, Total Internal Monitoring Point	1.14	1.73 Daily Max	XXX	0.021	0.032	0.041
Iron, Dissolved Internal Monitoring Point	Report	Report Daily Max	XXX	Report	Report	XXX
Iron, Total Internal Monitoring Point	84.5	132 Daily Max	XXX	1.56	2.44	3.12
Nickel, Total Internal Monitoring Point	Report	Report Daily Max	XXX	Report	Report	XXX
Silver, Total Internal Monitoring Point	Report	Report Daily Max	XXX	Report	Report	XXX
Zinc, Total Internal Monitoring Point	Report	Report Daily Max	XXX	Report	Report	XXX
Chloroform Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX

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

- Optimization of chlorine dosage
- Dry stream discharge
- Development of an O&M Plan
- Development of a High Flow Management Plan
- Definition of osmotic pressure
- Hauled-in waste restriction
- DRBC's TDS requirements
- DRBC's fecal coliform limit

- POTW pretreatment program implementation
- Solids management for non-lagoon system
- SSCS for copper using BLM
- WQBEL for toxic pollutants
- WETT requirements
- TRC effluent limitations below quantitation limits
- Stormwater requirements with benchmark values

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

The EPA Waiver is not in effect

PA0245372, Sewage, SIC Code 8800, **Smith Stephen**, 1432 Burgoyne Road, Downingtown, PA 19335-3904. Facility Name: Smith SRSTP. This proposed facility is located in Edgmont Township, **Delaware County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9
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
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

- Sludge use and disposal description and location(s): Septic tanks cleaned out by pump and hauler.

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

PA0255220, Sewage, SIC Code 8800, **Albert Daisley III and Brittany Daisley**, 3945 Sardis Road, Pittsburgh, PA 15239-1234. Facility Name: Daisley SRSTP. This existing facility is located in Plum Borough, **Allegheny 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 of Little Plum Creek (WWF), is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

PA0111911, Industrial, SIC Code 3446, **Construction Specialties of NJ, Inc.**, 6696 Route 405 Highway, Muncy, PA 17756-6381. Facility Name: Const Specialties. This existing facility is located in Clinton Township, **Lycoming County**.

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

The receiving stream(s), Turkey Run (WWF) and Turkey Run (WWF, MF), is located in State Water Plan watershed 10-C and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 101 are based on a design flow of 0.0008 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Daily Maximum</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Internal Monitoring Point		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Internal Monitoring Point			Inst Min			
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 102 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>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD230063	New	FMM QZOB LLC Michael Frankel 1019 4th Avenue Lester, PA 19029	City of Chester Delaware County	SERO
PAD510216	New	Auto Store LLC Liam Sullivan 414 S. 16th Street Suite 100 Philadelphia, PA 19146	City of Philadelphia Philadelphia County	SERO
PAD150243	New	Artisan Construction Group, LLC Ronald Christy P.O. Box 689 Devon, PA 19333	East Coventry Township Chester County	SERO
PAD390224	New	Buckeye Macungie Solar LLC The Buckeye Building 6161 Hamilton Blvd. Allentown, PA 18106	Lower Macungie Township Lehigh County	NERO
PAD450014	Renewal	Pocono Mountains Municipal Airport Authority 188 Airport Road Tobyhanna, PA 18466	Coolbaugh Township Mount Pocono Borough Monroe County	NERO
PAD400003	Renewal	Aqua Pennsylvania, Inc. Joshua Shoff 1 Aqua Way White Haven, PA 18661-1115	Butler Township Luzerne County	NERO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD360081	New	John Zimmerman 1087 Silver Hill Road Narvon, PA 17555	Brecknock Township Lancaster County	SCRO
PAD360083	New	Patricia Hannum 183 Pilottown Road Peachbottom, PA 17563	Fulton Township Lancaster County	SCRO
PAD360082	New	Allen Shirk 111 East Black Creek Road East Earl, PA 17519	Caernarvon Township Lancaster County	SCRO
PAD360086	New	Custom Home Group 1302 Lancaster Pike Quarryville, PA 17566	East Drumore Township Lancaster County	SCRO
PAD210080	New	Front Porch Builders, LLC 1559 Boiling Springs Road Boiling Springs, PA 17007	Monroe Township Cumberland County	SCRO
PAD070028	New	Dreams Go On, Inc. 1301 Maple Avenue Hollidaysburg, PA 16648	Frankstown Township Blair County	SCRO
PAD060025	New	Kevin Lauver 234 Gunhart Road Mohnton, PA 19540	Robeson Township Berks County	SCRO
PAD060057	New	Grande Land LP 2213 Quarry Drive West Lawn, PA 19609	Robeson Township Berks County	SCRO
PAD360084	New	Beacon of Manheim LLC 24 Buckingham Way Freehold, NJ 07728	Rapho Township Lancaster County	SCRO
PAD500017	New	Glenn S. and Bethany D. Martin 3903 Creek Road Newport, PA 17074	Juniata Township Perry County	SCRO
PAD670064	New	Old York Developers, LLC 1224 Mill Street Building D East Berlin, CT 06023	Fairview Township York County	SCRO
PAD670063	New	Inch's Properties, LLC 2950 Lewisberry Road York, PA 17404	Spring Garden Township York County	SCRO
PAD670061	New	US Industrial Club V Enterprises, LLC 5050 West Tilghman Street Suite 435 Allentown, PA 18401	Shrewsbury Township York County	SCRO
PAD670057	New	Dun-Par Holdings, LLC 12359 Susquehanna Trail South Glen Rock, PA 17327	Shrewsbury Township York County	SCRO
PAD410012	New Individual Permit	John Grand 231 Elk Lane Lock Haven, PA 17745	Cummings Township Lycoming County	NCRO

STATE CONSERVATION COMMISSION

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

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

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These

NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Belview Valley Farms Swine CAFO 458 Gemmill Road Delta, PA 17314	York	547.4	633.51	Swine	NA	Renewal
Ken Meck 1503 Beaver Valley Pike Willow Street, PA 17584	Lancaster	76	361.55	Pullets/ Steers	NA	Renewal
Hope Valley Dairy 40 Mount Hope Road Quarryville, PA 17566	Lancaster	583.6	1,179.95	Dairy	HQ	New

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office

listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

SAFE DRINKING WATER

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

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

Application No. 0621544, Public Water Supply.

Applicant	St. Paul's United Methodist Church P.O. Box 6 Geigertown, PA 19523
Municipality	Union Township
County	Berks
Responsible Official	John C. Good Treasurer P.O. Box 6 Geigertown, PA 19523
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Application Received	December 16, 2021
Description	New sodium hypochlorite disinfection system and contact tanks to provide 4-log virus inactivation.

**SAFE DRINKING WATER
MINOR AMENDMENT**

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Operation Permit No. 1719505MA issued to: **Huston Township Water Authority**, 11837 Bennetts Valley Hwy, Suite 2, Penfield, PA 15849, PWSID No. 1719505MA, Huston Township, **Clearfield County**, on March 29, 2022, for the operation of facilities approved under construction permit # 1719505MA. This permit authorizes the authority to operate 4 new meter vaults throughout the Authority's system to help monitor water loss in the distribution system in Huston Township, Clearfield County.

**LAND RECYCLING AND
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995
PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

During this comment period the municipality may request that the following identified person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

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

Former Star Buffet and Grill, 2232 Lincoln Highway East, Lancaster, PA 17602, East Lampeter Township, **Lancaster County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110 on behalf of Sunrise Liberty, LP, 950 Smile Way, York, PA 17404 submitted a Notice of Intent to Remediate site soil and groundwater contaminated with concentrations of gasoline-related constituents. The site will be remediated to the Site-Specific Standard. Future use of the site is for nonresidential purposes. The Notice of Intent to Remediate was published in *The LNP Media Group, Inc.* on February 8, 2022.

MUNICIPAL WASTE GENERAL PERMITS

Application(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

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

Application No. WMGM067SC001. Divert, Inc., 302 South Mulberry Drive, Mechanicsburg, PA 17050-3108, Sliver Springs Township, **Cumberland County**. This application is for a new municipal waste general permit, WMGM067 to authorize the processing of packaged food waste using a de-packaging unit(s) to mechanically separate packaging from pre-consumer and post-consumer food waste from commercial establishments, institutional establishments, or industrial food manufacturing operations to produce a waste slurry for beneficial use in anaerobic digestion and the following:

1. Methane gas produced by the anaerobic digestion for use as fuel, including in the production of electricity.
2. Liquid waste and solids removed from the anaerobic digester as a soil additive for agricultural purposes.

Comments concerning the application should be directed to Chris Solloway, Program Manager, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800)

654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGM067SC001" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compli-

ance 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.

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

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

63-01056A: Bloom Engineering Company, Inc., 100 Vista Drive, Charleroi, PA 15022. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 63-01056A to allow the construction of equipment to be used in the manufacture and study of natural gas and oil burners for industrial furnaces located in Fallowfield Township, **Washington County**.

The facility consists of four (4) natural gas-fired curing ovens, each rated less than 2.0 MMBtu/hr; two (2) refractory mixing stations; one (1) paint booth, controlled by dry fiberglass filters; welding of fabricated pieces, controlled by a dust collector; one (1) 33.5 hp natural gas-fired emergency generator; testing laboratory, comprised of twenty (20) testing furnaces and one (1) 1.5 MMBtu/hr natural gas-fired boiler; and three (3) parts washers. Potential emissions from the project are 20.4 tons of nitrogen oxides (NO_x), 8.6 tons of carbon monoxide (CO), 3.0 tons of particulate matter less than 10 microns in diameter (PM₁₀), 0.7 ton of sulfur oxides (SO_x), 1.7 tons of volatile organic compounds (VOC), less than 1.0 ton of combined hazardous air pollutants (HAP), less than 0.5 ton of single HAP, and 22,500 tons of greenhouse gases (GHGs) as carbon dioxide equivalents (CO₂e), per year. The Department has determined that the proposed facility satisfies Best Available Technology ("BAT") requirements. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2 and 123.31; and Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) from 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE) and 40 CFR Part 63 Subpart XXXXXX—National Emissions Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories. The Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

The Plan Approval Application, the Department's Air Quality Review Memorandum, and the proposed Air Quality Plan Approval for this project are available for review by any interested party at the Department'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>.

A person may oppose the proposed plan approval by filing a written protest with the Department through Melissa Jativa, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; mjativa@pa.gov; or fax 412.442.4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-63-01056A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

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 or email, 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.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.

Contact: Edward Wiener, Chief of Source Registration at 215-685-9426.

AMS Plan Approval No. IP21-000107: Sun Chemical Corporation, 3301 W Hunting Park Ave., Philadelphia, PA 19132, for the shutdown, removal, and replacement of three (3) electric mixers that are part of Emission Group 01—Blending and Dispersion Operations in Manufacturing Group 140 (MFG 140): Mixer 1 (M-01), Mixer 6 (M-06) and Mixer 7 (M-07), at their facility in the City of Philadelphia, **Philadelphia County**. The process change has a potential emission's increase of 21.89 tons per year of volatile organic carbons and 0.10 ton per year of particulate matter. Emissions increases are due to production changes as a result of the replacement. The plan approval will contain operating, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

Copies of all documents and information concerning this permit are available for review in the offices of Air Management Services, 321 University Ave., Philadelphia, PA 19104-4543 during normal business hours. Persons wishing to review these documents should contact Keisha Hector by telephone at 215-685-7572 or at the previously listed address.

Persons wishing to file protest, comments or to request a public hearing on the previously listed permit must submit the protest, comments, or request for a public hearing to within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the

public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

OPERATING PERMITS

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

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.

06-05040: East Penn Manufacturing Company, Inc., Deka Road, P.O. Box 147, Lyon Station, PA 19536. To renew a Title V Operating Permit for the Lyon Station Smelter facility located in Richmond Township, **Berks County**. The actual emissions from the facility in the 2020 year were estimated at 19.8 tons CO, 50.4 tons NO_x, 5.8 tons PM₁₀/PM_{2.5}, 40.8 tons SO_x and 3.0 tons VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, record-keeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63 Subpart L, 40 CFR 63 Subpart X, 40 CFR 63 Subpart ZZZZ and CAM.

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

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

TV-63-00074: Langeloth Metallurgical Company, LLC, P.O. Box 608, 10 Langeloth Plant Dr., Langeloth, PA 15054-0608. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice that it intends to issue a renewal Title V Operating Permit (TVOP) to authorize the operation of the Langeloth Metallurgical Plant located in the Smith Township, **Washington County**.

Equipment at this facility includes two (2) natural gas-fired roasters rated at 8.6 Mcf/hr, two (2) natural gas-fired roasters rated at 12.5 Mcf/hr, two (2) natural gas-fired roasters rated at 16.3 Mcf/hr, a sulfuric acid plant rated at 10.0 tons/hr of sulfuric acid which functions as a sulfur dioxide control device for the roasters when operating on high sulfur content feedstocks, an aluminothermic process rated at 15.0 tons/hr of ferromolybdenum alloys, a pure molybdenum trioxide production process rated at 0.50 ton/hr of molybdenum, and four (4) natural gas-fired emergency generators rated at 454 Bhp each. Particulate matter emissions from the roasters are controlled by multi-cyclones and an electrostatic precipitator. Particulate matter emissions from the aluminothermic process are controlled by two (2) baghouses. Particulate matter emissions from the pure molybdenum trioxide process are controlled by two (2) baghouses.

Potential emissions for the facility including emission restrictions have been calculated as follows: 31.58 tons per year of carbon monoxide (CO), 34.79 tons per year of nitrogen oxides (NO_x), 86.85 tons per year of particulate matter less than 10-microns (PM₁₀), 219.50 tons per year of sulfur oxides (SO₂), 2.81 tons per year of volatile organic compounds (VOC), 0.03 ton per year of acetaldehyde, 0.02 ton per year of acrolein, 0.20 ton per year of

formaldehyde, 0.59 ton per year of hexane, 0.87 ton per year total Hazardous Air Pollutants (HAP), and 39,934 tons per year of greenhouse gases (GHGs). The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 61, 63, and 70, and 25 Pa. Code Article III, Chapters 121—145.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made online at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by calling the Department at 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit TV-63-00074) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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

Effluent Limits—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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

Mining Permit No. 32850701. NPDES No. PA0213683. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to renew the permit and related NPDES Permit in Cherryhill Township, Indiana County. Application received: January 10, 2022.

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

Mining Permit No. 17860144. NPDES Permit No. PA0115711. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866. Permit renewal application for a bituminous surface coal mine and associated NPDES permit located in Decatur Township, **Clearfield County**, affecting 295.2 acres. Receiving stream(s): Big Run, Shimel Run to Moshannon Creek classified for the following use(s): CWF. Application received: March 22, 2022.

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

Mining Permit No. 54920201. Northeastern Power Co., P.O. Box 7, McAdoo, PA 18237, renewal for reclamation activities only of an anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Kline and Packer Townships, **Schuylkill and Carbon Counties**, affecting 876.0 acres. Receiving stream: Little Schuylkill River, classified for the following uses: CWF, MF. Application received: March 16, 2022.

Mining Permit 54060101. Blaschak Anthracite Corp., P.O. Box 12, Mahanoy City, PA 17948, correction to an anthracite surface mine, coal refuse reprocessing and coal refuse disposal operation in Mahanoy Township, **Schuylkill County**, to increase the permitted acres from 1,043.2 to 1,052.0 acres. Receiving stream: North Mahanoy Creek, classified for the following uses: CWF, MF. Application received: March 17, 2022.

Mining Permit No. 54861601. Schuylkill Coal Processing, Inc., P.O. Box 134, Ashland, PA 17921, renewal of an anthracite preparation plant operation in Butler Township, **Schuylkill County**, affecting 18.6 acres. Receiving stream: Mahanoy Creek, classified for the following uses: WWF, MF. Application received: March 18, 2022.

Mining Permit No. 54080102. Keystone Anthracite Co., Inc., 259 N. Second Street, Girardville, PA 17935, renewal of an anthracite surface mine, coal refuse reprocessing, coal refuse disposal and coal preparation plant operation in West Mahanoy Township, **Schuylkill County**, affecting 784.0 acres. Receiving stream: Shenandoah Creek, classified for the following uses: CWF, MF. Application received: March 22, 2022.

Mining Permit No. GP12-54080102. Keystone Anthracite Co., Inc., 259 N. Second Street, Girardville, PA 17935, renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54080102 in West Mahanoy Township, **Schuylkill County**. Application received: March 22, 2022.

Noncoal Applications

Effluent Limits—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 2

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity			
pH must always be greater than 6.0; less than 9.0.			

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

Mining Permit No. 11220802. NPDES No. GP104 PAM422004. Berkebile Excavating Co., Inc., P.O. Box 358, Tire Hill, PA 15959, commencement, operation, and restoration of small industrial minerals operation in Richland Township, **Cambria County**, affecting 4.9 acres. Receiving stream: Unnamed Tributary to Stonycreek River classified for the following use: WWF. Application received: March 17, 2022.

Mining Permit No. 29920301. NPDES No. PA0599549, Big Cove Quarry, LLC, 13101 Fountain Head Road, Hagerstown, MD 21742. Transfer of an existing large noncoal surface mine located in Ayr Township, **Fulton County**. Receiving streams: unnamed tributary to/and Esther Run classified for the following use: CWF. Application received: March 17, 2022.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, RA-EPKNOX@pa.gov (Contact: Cayleigh Boniger).

Mining Permit No. 16160301. NPDES No. PA0259705. Glen-Gery Corporation, 1166 Spring Street, P.O. Box 7001, Wyomissing, PA 19610, renewal of an NPDES permit associated with a large noncoal permit in Monroe Township, **Clarion County**, affecting 206.0 acres. Receiving stream: Piney Creek and Reids Run, classified for the following use: CWF. No changes proposed. Application received: March 17, 2022.

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

Mining Permit No. 5077SM1. NPDES Permit No. PA0225452. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, renew NPDES Permit on a quarry operation in Lehman Township, **Luzerne County**, affecting 142.99 acres. Receiving stream: Pikes Creek, classified for the following uses: HQ-CWF, MF. Application received: March 14, 2022.

Mining Permit No. 6278031. NPDES Permit No. PA0225657. Pennsylvania Granite Corp., 375 Trythall Road, Elverson, PA 19520, renew NPDES Permit on a quarry operation in Warwick Township, **Chester County**, affecting 46.3 acre. Receiving stream: unnamed tributary to French Creek, classified for the following use: EV-MF. Application received: March 14, 2022.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

Permit No. E4601222-005, Montgomery County, One Montgomery Plaza, 6th Floor, P.O. Box 311, Norristown, PA 19404, Lower Salford Township, **Montgomery County;** ACOE Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with the Bergey's Mill Road Bridge Replacement. The proposed project involves replacement of the bridge over the East Branch of the Perkiomen Creek (TSF, MF). The project proposes full replacement of the structure with similar alignment and will include in-stream work related to replacement of the pier and abutments. There will be 0.02 acre of permanent and 0.11 acre of temporary stream impacts, 0.19 acre of temporary and 0.03 acre of permanent floodway impacts, and 0.08 temporary and 0.14 permanent floodplain impacts. There are no impacts in wetlands.

The site is approximately located at Bergey's Mill Road over East Branch of the Perkiomen Creek (Perkiomenville PA Lat. 40° 15' 23.92"; Long.-75° 25' 47.42") in Lower Salford Township, Montgomery County.

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

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

E4002222-003. Earth Conservancy, 101 South Main Street, Ashley, PA 18706, in Hanover Township and Warrior Run Borough, **Luzerne County,** U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Nanticoke Creek Stream Restoration at Truesdale Colliery Project:

1) A stream crossing of Nanticoke Creek (CWF, MF) consisting of a 90-ft long, 20-ft wide, 5-ft high concrete box culvert having concrete wingwalls, an invert depressed 1.0-ft, and R-6 riprap choked with natural streambed material. The crossing will carry S.R. 2008 (Main Street) over Nanticoke Creek.

2) To remove an existing stream crossing and to construct a stream crossing of Nanticoke Creek (CWF, MF) consisting of a 90-ft long, 10-ft wide, 5-ft high concrete box culvert having concrete wingwalls, an invert depressed 1.0-ft, and R-6 riprap choked with natural streambed material. The crossing will carry S.R. 2010 (Hanover Street) over Nanticoke Creek.

3) To remove an existing stream enclosure and to construct a stream enclosure of Nanticoke Creek (CWF, MF) consisting of a 436-ft long, 48-in diameter corrugated metal pipe, concrete wingwalls, and R-6 riprap choked with natural streambed material. The enclosure will carry a local gravel trail over Nanticoke Creek.

4) To modify an existing stream enclosure of Nanticoke Creek (CWF, MF) with work consisting of an 11-ft, 18-in diameter corrugated metal pipe extension and riprap apron.

5) To modify an existing dual stream enclosure of Nanticoke Creek (CWF, MF) with work consisting of two (2) 11-ft, 36-in diameter corrugated metal pipe extension and riprap apron.

6) To remove an existing stream crossing of Leuder Creek (CWF, MF) consisting of a 93-ft long, 5-ft wide, 4-ft high concrete box culvert having concrete wingwalls, an invert depressed 1.0-ft, and the regrading of an existing concrete flume. The crossing will carry a local gravel trail over Leuder Creek.

7) To modify an existing stream enclosure with work consisting of slip-lining and grouting the existing enclosure with a 215-ft long, 48-in diameter corrugated metal pipe. The enclosure will carry a local gravel trail over Leuder Creek.

8) A channel change within Nanticoke Creek (CWF, MF) consisting of 5,600-LF of grading within the existing channel, 3,575-LF of floodway creation, 3,680-LF of floodway grading, and 2,150-LF of stream realignment.

9) A channel change within Leuder Creek (CWF, MF) consisting of 795-LF of grading within the existing channel, 945-LF of floodway grading, 3,040-LF of stream cleaning and crack sealing, 0.01 acre of PEM wetland impacts, and 1,320-LF of the removal of and the establishment of a stream channel.

The project begins at Loomis Park Road and extends approximately 1.3 miles south to the confluence of Leuder

Creek and Nanticoke. From this confluence, the project extends approximately 1.1 miles southward within Leuder Creek and approximately 1.2 miles southward within Nanticoke Creek (Wilkes-Barre West, PA Quadrangle Latitude: 41° 11' 9.49"; Longitude: -75° 57' 56.16") in Hanover Township and Warrior Run Borough, Luzerne County. (Wilkes-Barre West, PA Quadrangle, Latitude: 41° 11' 9.49"; Longitude: -75° 57' 56.13").

E3502222-005. Lackawanna County, 1280 Mid Valley Drive, Jessup, PA 18434, in Ransom Township, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a 16-foot by 8-foot precast reinforced concrete box culvert on an adjusted alignment across UNT to Gardner Creek (CWF, MF) having a 14-foot span and a 6.5-foot underclearance. Fill will be placed within the floodway for the new roadway approaches. The project is located in Ransom Township, Lackawanna County. Quadrangle Latitude: 41° 24' 29"; Longitude: -75° 45' 59". (Ransom, PA Quadrangle, Latitude: 41° 24' 29"; Longitude: -75° 45' 59").

E3902122-003, PA Department of Transportation, Eng District 5-0, 1002 Hamilton Street, Allentown, PA 18101, South Whitehall and Upper Macungie Townships, **Lehigh County**, Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the S.R. 0309 Section 12M Project:

Outfalls

1. To construct and maintain an outfall consisting of a 24" CMP and endwall discharging stormwater into a 12-ft long R-4 riprap apron, in the floodway of Cedar Creek (HQ-CWF, MF).

Wetland Fill

2. To impact a de minimus area of PEM wetland equal to 0.02 acre due to construction of the proposed roadway slope embankment and the creation of a stormwater basin.

Floodway Fill

3. To impact approximately 0.27 acre of floodway of Little Cedar Creek (HQ-CWF, MF) for the placement of fill and stream restoration related grading.

Stream Enclosure Maintenance

4. To perform maintenance on an existing stream enclosure that carries SR 309 across Little Cedar Creek that includes replacing a portion of the downstream side of the structure. The proposed enclosure will be 134-ft wide with a normal clear span of 17-ft and a 5-ft minimum underclearance.

Stream Restoration

5. To impact 360-LF of Little Cedar Creek (HQ-CWF, MF) for multiple activities upstream and downstream of the culvert carrying SR 309 over Little Cedar Creek. Concrete channel lining will be removed from the channel downstream of the culvert. A preformed scour hole consisting of approximately 30-LF of R-8 riprap and 75-LF R-5 riprap will be constructed at the culvert outlet. The streambed at the downstream end of the scour hole will also be raised 6" to provide more baseflow through the culvert. Approximately 30-LF of R-8 riprap choked with streambed material followed by approximately 70-LF of R-5 riprap choked with streambed material will also be

installed immediately downstream of the preformed scour hole. Upstream of the culvert, approximately 150-LF of R-5 riprap choked with streambed material will be placed for streambed stability.

The proposed project is located along SR 309 and extends from the US-22 interchange ramps and continues south to the I-78 interchange ramps. (Allentown West, PA Quadrangle: Latitude: 40.599575; Longitude: -75.559253 to Latitude: 40.581269; Longitude: -75.552633 in South Whitehall and Upper Macungie Townships, Lehigh County.)

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

E6703221-006: FF2 Investors, LLC, 555 Ryan Run Road, Suite G, York, PA 17404 in Fairview Township, **York County**, U.S. Army Corps of Engineers, Baltimore District.

The applicant proposes to construct and maintain 1) a 64.5-foot long 25.0-foot wide by 4.75-foot high box culvert with fish baffles and associated endwalls in a UNT to Fishing Creek (TSF, MF), permanently impacting 0.01 acre of wetland and temporarily impacting 0.01 acre of wetland, 2) a 4.0-inch PVC gas line conduit, a 6.0-inch PVC sanitary sewer line, a 3.0-inch ductile iron water line, and an 8.0-inch ductile water line crossing of a UNT to Fishing Creek (TSF, MF) all co-located under the proposed box culvert, 3) an 18.0-inch stormwater outfall into the floodway of a UNT to Fishing Creek (TSF, MF), permanently impacting 0.01 acre of floodway, and 4) the relocation of 865 linear feet of a UNT to Fishing Creek (TSF, MF) by way of enclosure of 714-linear feet in a 42.0-inch culvert, and the reconstruction of 611 linear feet of open channel. The purpose of the project is to construct a 243,000 square foot warehouse/office building with associated facilities at 575 Old York Road in Fairview Township, York County (Latitude: 40.1744; Longitude: -76.8322). The applicant proposes the 611 linear feet of stream mitigation through in-place enhancements as well as the removal of an existing bridge structure over a UNT to Fishing Creek (TSF, MF) and 0.11 acre of wetland compensation through on-site wetland creation.

E2103221-002: PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18101-1139 in New Cumberland Borough, **Cumberland County**, U.S. Army Corps of Engineers, Baltimore District.

To remove existing structures and to:

1. Construct and maintain an electric transmission line with steel monopoles across the Susquehanna River (WWF, MF) and the floodways of the Susquehanna River and Yellow Breeches Creek (CWF, MF) impacting 227 linear feet of the River and 2.3 acres of floodway; and

2. Construct and maintain a temporary access road and causeway in and across the Susquehanna River (WWF, MF), all for the purpose of upgrading outdated electrical equipment and providing increased reliability to customers in the service areas.

The project is located near the intersection of Ross Alley and Walnut Alley (Latitude: 40° 13' 34.48" N; Longitude: 76° 51' 36.46" W) in New Cumberland Borough, Cumberland County. The project also proposes impacts in Dauphin County and those impacts are outlined in application # E2203221-010.

E2203221-010: PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18101-1139 in Swatara Township and Steelton Borough, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To remove existing structures and to:

1.) Construct and maintain an electric transmission line with steel monopoles across the Susquehanna River (WWF, MF), its floodway, and palustrine emergent wetlands, permanently impacting 3,451 feet of the River, 0.15 acre of wetlands and 0.43 acre of floodway; and

2.) Construct and maintain a temporary access road and causeway in and across the Susquehanna River (WWF, MF), all for the purpose of upgrading outdated electrical equipment and providing increased reliability to customers in the service areas.

The project is located near Hess Island (Latitude: 40.230191°N; Longitude: 76.856202°W) in Swatara Township and Steelton Borough, Dauphin County. Wetland loss is not proposed, and replacement is not required. The project also proposes impacts in Cumberland County and those impacts are outlined in application # E2103221-002.

Northcentral Region: Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E5504222-001: Neil Brubaker, 161 Steffen Valley Road, Mount Pleasant Mills, PA 17853, Neil Brubaker Brgd Proj, Washington Township, **Snyder County**, U.S. Army Corps of Engineers, Baltimore District (Dalmatia Quadrangle; Latitude 41.717189°; -76.960597 W°).

The applicant proposes the construction and maintenance of a bridge over a UNT to the North Branch of the Mahantango Creek (CWF, MF) to gain access to pasture and crop fields. The project proposes .01 acre of direct permanent watercourse impact, and .05 acre of direct permanent floodway impact.

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

E0205122-002, PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Upper St. Clair Township, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

Amend Permit No. E02051-1805, which authorized the Pennsylvania Department of Transportation, to replace the existing 27.5' wide two-lane reinforced concrete T-beam bridge with a minimum underclearance of 6.9' carrying SR 3034 (Lesnett Road) over McLaughlin Run (WWF).

This amendment proposes to place an additional 50 linear feet of scour protection along the right bank of the McLaughlin Run (WWF), having an additional permanent impact of 50 LF to McLaughlin Run (WWF).

The project is a reconfiguration of the intersection of SR 3034 and SR 3004 (Bridgeville, PA USGS topographic quadrangle; N: 40°, 20', 42.5"; W: -80°, 4', 55.3"; Sub-basin 20F; USACE Pittsburgh District), in Upper St. Clair Township, Allegheny County.

E5605221-003, Somerset Conservation District, 6024 Glades Pike, Somerset, PA 15501, Stoneycreek Township, **Somerset County**; Pittsburgh ACOE District.

The applicant proposes to:

Construct, operate and maintain an Acid Mine Drainage (AMD) Passive Treatment System, consisting of two settling ponds, a vertical flow pond, and a constructed wetland with three baffles. The project will permanently

impact 1.80 acres of wetlands, onsite, and collectively, 0.79 acre of floodplain to both Lamberts Run (CWF) and UNT 1 to Lamberts Run (CWF), for the purpose of treating artesian flows of acidic water, contaminated with high concentrations of iron; thereby, improving the water quality of downstream channels and wetlands.

The project site is located approximately 0.3 mile south of the intersection of Lambertsville Road (SR 1007) and Pompey Hill Road (Stoystown, PA USGS topographic quadrangle; N: 40°, 04', 10.0"; W: -78°, 54', 53.0"; Sub-basin 18E; USACE Pittsburgh District), in Stoneycreek Township, Somerset County.

E5605222-002, Stone Creek Watershed Association, 1314 Central Avenue, Suite 205, Central City, PA 15926, Shade Township, **Somerset County**; Pittsburgh ACOE District.

The applicant proposes to:

Amend previously authorized permit number E56-391, which authorized the permittee to:

1. Construct and maintain two rock cross vane fish habitat structures within Coal Run (CWF).

2. Construct and maintain a 15" diameter intake structure within Coal Run.

3. Construct and maintain two outfall structures within Coal Run.

For the purpose of constructing a passive acid mine drainage (AMD) treatment system to improve the water quality in Coal Run, a tributary to Dark Shade Creek.

This amendment is to forego the construction of the two rock cross vanes fish habitat structures and revise the originally proposed intake structure to include the constructing, maintaining, and operating of a reinforced concrete grade control structure with a stainless steel Coanda Screen. Additional permanent impacts that will result from this amendment will consist of 1,000 SF of watercourse impacts for the installation of the revised intake structure. Compensatory mitigation is not proposed due to the nature of the project.

The project site is located within the Pennsylvania Game Commission's State Game Lands 228 (Central City, PA USGS topographic quadrangle; N: 40°, 03', 45"; W: -78°, 47', 54"; Sub-basin 18-E; USACE Pittsburgh District), in Shade Township, Somerset County.

E6505222-002, PA Game Commission, 2001 Elmer-ton Avenue, Harrisburg, PA 17110, Saint Clair Township, **Westmoreland County**; Pittsburgh ACOE District.

The applicant proposes to:

Construct and maintain a 50-foot long by 14-foot wide steel superstructure bridge over Sugar Run (CWF) with an under clearance of 4.5 feet; and Temporarily impact 35 linear feet of watercourse for a temporary bridge stream crossing.

For the purpose of replacing an existing ford crossing along an existing access road for vehicular access. The project will permanently impact 41 linear feet of watercourse and temporarily impact 35 linear feet of watercourse. The project site is located within State Game Lands # 042. (New Florence, PA USGS topographic quadrangle; N: 40°, 23', 9.528"; W: -79°, 00', 59"; Sub-basin 18D; USACE Pittsburgh District), in Saint Clair Township, Westmoreland County.

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

E0829222-012: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Litchfield Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. water impoundment permanently impacting 14,767 square feet (0.339 acre) of a Palustrine Emergent Wetland (Litchfield, PA Quadrangle, Latitude: 41.974500°; Longitude: -76.462382°).

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 14,767 square feet (0.339 acre) of permanent PEM wetland impacts, all for the purpose of building a water impoundment for Marcellus well development in Litchfield, Township, Bradford County. The permittee will provide 0.68 acre of PEM wetland mitigation at Camp Brook Restoration (Elkland, PA Quadrangle, Latitude: 41.988385°; Longitude: -77.337152°), permit application number E5929221-006.

E5929222-002: Repsol Oil and Gas USA, LLC, 337 Daniel Zenker Drive, Horseheads, NY 14845, Sullivan Township, **Tioga County**, ACOE Baltimore District.

To construct, operate and maintain a 320' by 350' well pad impacting 33,023 square feet of a palustrine emergent (PEM) wetland. (Blossburg, PA Quadrangle, Latitude: 41° 44' 36"; Longitude: -77° 00' 01"). Impacts are a result of the original well pad owner building a well pad in wetlands in 2010. The construction of the well pad resulted in 29,974 square feet (0.688 acre) of permanent wetland impacts and 3,049 square feet (0.070 acre) of temporary wetland impacts in Sullivan Township, Tioga County. The permittee will provide 29,974 square feet (0.688 acre) of off-site compensatory mitigation at the Butters Mitigation Site (Blossburg, PA Quadrangle 41° 44' 55" N, 77° 03' 16" W).

E5929222-003: Repsol Oil and Gas USA, LLC, 337 Daniel Zenker Drive, Horseheads, NY 14845, Covington and Richmond Township, **Tioga County**, ACOE Baltimore District.

To construct, operate and maintain a 300' by 320' well pad impacting 28,573 square feet of a palustrine emergent (PEM) wetland. (Mansfield, PA Quadrangle, 41° 45' 39" N, 77° 02' 16" W). Impacts are a result of the original site owner building a well pad in wetlands in 2010. The construction of the well pad resulted in 13,508 square feet (0.31 acre) of permanent wetland impacts and 15,065 square feet (0.35 acre) of temporary wetland impacts in Sullivan Township, Tioga County. The permittee will provide 0.31 acre of off-site compensatory mitigation at the Butters Mitigation Site (Blossburg, PA Quadrangle 41° 44' 55" N, 77° 03' 16" W).

E0829222-015: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840-1567, Rexford Bra Pad in Orwell Township, **Bradford County**, ACOE Baltimore District.

This project 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. As previously referenced, Water Obstruction and Encroachment (WOEP) Application E0829222-015 Chesapeake Appalachia, LLC (Chesapeake) has applied for an Individual—Joint Permit to construct, operate and maintain 0.649 acre of permanent and 0.111 acre of temporary impacts to on-site wetlands. All impacts are associated with the Rexford Bra Pad construction in 2010.

There are no stream and floodway impacts associated with this after-the-fact authorization. The project will result in a total of 28,270 SF (0.649 acre) of permanent and 4,835 SF (0.111 acre) of temporary wetland impacts.

Wetland Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
W-WRA-005-T	Orwell Windham	Temporary Workspace	PEM	None	200	4,835			41.877095° 76.309832°
W-WRA-005-T	Orwell Windham	Fill	PEM	None			282	2,8270	41.877316° 76.309749°
TOTAL IMPACTS					200	4,835	282	2,8270	

ENVIRONMENTAL ASSESSMENTS

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

EA3603222-002: Mount Joy Borough, 21 East Main Street, Mount Joy, PA 17552 in Mount Joy Borough, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To conduct a stream restoration project along 6,550 feet Little Chiques Creek (WWF, MF) including:

1. the installation and maintenance of eighty six boulder deflectors,
2. the installation and maintenance of eleven mudsills totaling 905 feet in length;
3. the installation and maintenance of ten cross vanes;
4. the installation and maintenance of six j-hook vanes;
5. the installation and maintenance of eight boulder walls totaling 919 feet in length;
6. the installation and maintenance of 14 boulder groups;
7. the placement and maintenance of R-5 rip rap along 136 feet of stream;

8. the excavation and maintenance of 0.4 acre of floodway for the creation of floodplain benches;
9. the removal of portions of an existing levee impacting 1.7 acres of floodway; and
10. the construction and maintenance of four 11.0-foot by 17.0-foot fishing docks/piers in and along Little Chiques Creek (WWF, MF), all for the purposes of addressing erosion and enhancing instream habitat.

The project is located in Little Chiques Park (Latitude: 40° 6' 48" N; Longitude: 76° 29' 36" W) in Mount Joy Borough, Lancaster County. No wetlands will be impacted by this project.

Central Office: Bureau of Waterways Engineering & Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.

D40-068EA. Terrence Ostrowski, Earth Conservancy, 101 South Main Street, Ashley, PA 18706, Hanover Township, Luzerne County, U.S. Army Corps of Engineers, Baltimore District.

Applicant proposes to remove the Hanover Lower Dam to eliminate a threat to public safety and to restore approximately 550 feet of stream channel to a point where it will join a stream channel which will be constructed as a separate project. The stream is conveyed through two stone and concrete tunnels under the old Lehigh Valley railroad grade, portions of which have collapsed. The stream channel construction will consist of a two-stage channel with a low-flow thalweg channel, transitioning into a step pool configuration following steep grade. The project is located across Espy Run (CWF, MF) (Wilkes-Barre West, PA Quadrangle, Latitude: 41.1775; Longitude: -75.9885).

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 and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPpublicNotice.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES_Permits@pa.gov.

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. 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.

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 *et seq.*, is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), *cert. denied*, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD110012	Chapter 102 Individual NPDES Permit	Issued	Red Mantini LLC 717 Sixth Avenue Ford City, PA 16226	Cambria Township Cambria County	SWRO
PAD150228	Chapter 102 Individual NPDES Permit	Issued	PA DCNR Forestry Bureau P.O. Box 8552 Harrisburg, PA 17105-8552	West Caln Township Chester County	SERO
PAD160003	Chapter 102 Individual NPDES Permit	Issued	PA DOT Engineering District 100 2550 Oakland Avenue Indiana, PA 15701-3388	Beaver Township Clarion County	NWRO
PAD210040	Chapter 102 Individual NPDES Permit	Issued	Forgedale Xing LLC 529 E Main Street Lititz, PA 17543-2121	South Middleton Township Cumberland County	SCRO
PAD250013	Chapter 102 Individual NPDES Permit	Denied	Erie Solar LLC 3402 Pico Boulevard Santa Monica, CA 90405-2025	Girard Township Erie County	NWRO
PAD390213	Chapter 102 Individual NPDES Permit	Issued	178 W Main LP 1248 Hamilton Street Allentown, PA 18102-4338	Macungie Borough Lehigh County	NERO
PAD400050	Chapter 102 Individual NPDES Permit	Issued	Slocum Township Vol Fire Co. # 1 1923 Slocum Road Wapwallopen, PA 18660-8886	Slocum Township Luzerne County	NERO
PAD450146	Chapter 102 Individual NPDES Permit	Issued	HSC Marshalls Creek LLC 805 Trione Avenue Daphne, AL 36526-8642	Middle Smithfield Township Monroe County	NERO
PAD450149	Chapter 102 Individual NPDES Permit	Issued	Jarrett Marcia 218 18 109th Avenue Queens Village, NY 11429	Chestnuthill Township Monroe County	NERO
PAD520011	Chapter 102 Individual NPDES Permit	Issued	Highland Village Development Co. 700 S Henderson Road Suite 202 King Of Prussia, PA 19406-3530	Lehman Township Pike County	NERO
PAD590011	Chapter 102 Individual NPDES Permit	Issued	PA DCNR Leonard Harrison State Park 400 Market Street Harrisburg, PA 17101-2301	Shippen Township Tioga County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0245330	Industrial Stormwater Individual NPDES Permit	Issued	US Cold Storage 4000 Am Drive Quakertown, PA 18951-2197	Milford Township Bucks County	SERO
PA0267678	Industrial Stormwater Individual NPDES Permit	Issued	Norfolk Southern Railway Co. 650 W Peachtree Street NW Atlanta, GA 30308-1925	Antrim Township Franklin County	SCRO
PA0276499	Industrial Stormwater Individual NPDES Permit	Issued	US Cold Storage 4000 Miller Circle N Bethlehem, PA 18020-8600	Bethlehem Township Northampton County	NERO
PAS213504	Industrial Stormwater Individual NPDES Permit	Issued	New Enterprise Stone & Lime Co. Inc. P.O. Box 77 New Enterprise, PA 16664-0077	Snake Spring Township Bedford County	SCRO
PAS602204	Industrial Stormwater Individual NPDES Permit	Issued	Sr Recycling Inc. 400 Daniels Road (Route 946) Nazareth, PA 18064-8753	Bushkill Township Northampton County	NERO
PA0090301	Industrial Waste Individual NPDES Permit, Minor	Issued	Solid Waste Disposal Inc. 211 Brunner Road Zelienople, PA 16063-3505	Brighton Township Beaver County	SWRO
0922801	Joint DEP/PFBC Pesticides Permit	Issued	Brozyna Alex 2 Bennett Lane Newtown, PA 18940	Wrightstown Township Bucks County	SERO
0987448	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Blue Street Properties LLC 2324 Second Street Pike Newtown, PA 18940	Wrightstown Township Bucks County	SERO
PA0026867	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Abington Township Montgomery County 1176 Old York Road Abington, PA 19001-3731	Upper Dublin Township Montgomery County	SERO
PA0084468	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Dura Bond Pipe LLC 2716 S Front Street Steelton, PA 17113-3099	Steelton Borough Dauphin County	SCRO
PA0052949	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Aqua PA Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010	Upper Uwchlan Township Chester County	SERO
PA0055026	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Wrightstown Group LP 1337 Wrightstown Road Wrightstown, PA 18940	Wrightstown Township Bucks County	SERO
PA0093149	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Creekside Mushrooms Ltd 1 Moonlight Drive Worthington, PA 16262-9730	West Franklin Township Armstrong County	NWRO
PA0238571	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Jones Estates Pinehurst Manor PA LLC P.O. Box 14466 Durham, NC 27709-4466	Center Township Butler County	NWRO

NOTICES

2161

<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>
PA0021539	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Williamsburg Municipal Authority Blair County 305 E 2nd Street Williamsburg, PA 16693-1041	Williamsburg Borough Blair County	SCRO
PA0038920	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Burnham Borough Authority 200 1st Avenue Burnham, PA 17009-1640	Burnham Borough Mifflin County	SCRO
1001415	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Jones Estates Pinehurst Manor PA LLC P.O. Box 14466 Durham, NC 27709-4466	Center Township Butler County	NWRO
NOEXNC171	No Exposure Certification	Issued	Amazon Com Service LLC P.O. Box 80842 Seattle, WA 98108-0842	Clinton Township Lycoming County	NCRO
PAG030010	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PCI Fairless Hills, LLC 529 Terminal Avenue New Castle, DE 19720-1426	Falls Township Bucks County	SERO
PAG033594	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Mechanicsburg Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Silver Spring Township Cumberland County	SCRO
PAG033663	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fenner Prec Polymers 311 W Stiegel Street Manheim, PA 17545-1747	Lancaster City Lancaster County	SCRO
PAG033664	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fenner Prec Polymers 311 W Stiegel Street Manheim, PA 17545-1747	Lancaster City Lancaster County	SCRO
PAG046360	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Siciliano Michele 48 Scaife Road Sewickley, PA 15143	Sewickley Heights Borough Allegheny County	SWRO
PAG123633	PAG-12 NPDES General Permit for CAFOs	Issued	DL Rohrer Farms LLC 1728 Bridge Road Lancaster, PA 17602-1804	West Lampeter Township Lancaster County	SCRO
PAG123894	PAG-12 NPDES General Permit for CAFOs	Issued	Zimmerman Lavon J 11653 William Penn Highway Thompsontown, PA 17094-8686	Walker Township Juniata County	SCRO
PAG124836	PAG-12 NPDES General Permit for CAFOs	Issued	Rowe Family Farms Co. 216 Pawling Station Road Selinsgrove, PA 17870-7913	Middlecreek Township Snyder County	SCRO
PA0270831	Pesticides Individual NPDES Permit	Issued	PA Game Comm 2001 Elmerton Avenue Harrisburg, PA 17110-9762	Statewide Statewide	CO
1506410	Sewage Land Application Individual WQM Permit	Issued	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Londonderry Township Chester County	SERO
PA0239658	Single Residence STP Individual NPDES Permit	Issued	Renninger Gregory V 138 Buena Vida Lane Shippenville, PA 16254-3828	Millcreek Township Clarion 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>
PA0240192	Single Residence STP Individual NPDES Permit	Issued	Myranda Hyden 24478 State Street Meadville, PA 16335-8834	Blooming Valley Borough Crawford County	NWRO
PA0267619	Single Residence STP Individual NPDES Permit	Issued	Seibert Terry L 568 Ridge Road Lewisberry, PA 17339-9591	Fairview Township York County	SCRO
PA0268686	Single Residence STP Individual NPDES Permit	Issued	Neely Scott E 1316 Route 22 Hollidaysburg, PA 16648-8436	Frankstown Township Blair County	SCRO
PA0273031	Single Residence STP Individual NPDES Permit	Issued	Brittany & Joshua Polley 25401 State Street Saegertown, PA 16433-7431	Blooming Valley Borough Crawford County	NWRO
PA0290149	Single Residence STP Individual NPDES Permit	Issued	Neff Martha 770 Chicora Road Chicora, PA 16025-3318	Millcreek Township Clarion County	NWRO
PA0290220	Single Residence STP Individual NPDES Permit	Issued	Rose Douglas 12044 Route 6 Corry, PA 16407-8976	Wayne Township Erie County	NWRO
PA0290301	Single Residence STP Individual NPDES Permit	Issued	Day Ryan 140 Bloomster Holw Smethport, PA 16749-2404	Hamlin Township McKean County	NWRO
0722401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Neely Scott E 1316 Route 22 Hollidaysburg, PA 16648-8436	Frankstown Township Blair County	SCRO
1605403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Renninger Gregory V 138 Buena Vida Lane Shippenville, PA 16254-3828	Millcreek Township Clarion County	NWRO
1621405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Neff Martha 770 Chicora Road Chicora, PA 16025-3318	Millcreek Township Clarion County	NWRO
2521437	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Rose Douglas 12044 Route 6 Corry, PA 16407-8976	Wayne Township Erie County	NWRO
4222401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Day Ryan 140 Bloomster Holw Smethport, PA 16749-2404	Hamlin Township McKean County	NWRO
6721407	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Seibert Terry L 568 Ridge Road Lewisberry, PA 17339-9591	Fairview Township York County	SCRO

<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>
PA0256021	Small Flow Treatment Facility Individual NPDES Permit	Issued	Yukos Properties LLC 1046 Boquet Road Jeannette, PA 15644-4707	Penn Township Westmoreland County	SWRO
6521405	Small Flow Treatment Facility Individual WQM Permit	Issued	Yukos Properties LLC 1046 Boquet Road Jeannette, PA 15644-4707	Penn Township Westmoreland County	SWRO
WQG01201501	WQG-01 WQM General Permit	Issued	Brittany & Joshua Polley 25401 State Street Saegertown, PA 16433-7431	Blooming Valley Borough Crawford County	NWRO
WQG016156	WQG-01 WQM General Permit	Issued	Siciliano Michele 48 Scaife Road Sewickley, PA 15143	Sewickley Heights Borough Allegheny County	SWRO
WQG018632	WQG-01 WQM General Permit	Issued	Myranda Hyden 24478 State Street Meadville, PA 16335-8834	Blooming Valley Borough Crawford County	NWRO
PA0114821	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Gregg Township Municipal Authority 16436 US Route 15 Allenwood, PA 17810-9137	Gregg Township Union County	NCRO

II. Final Actions on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC230028	PAG-02 General Permit	Issued	Toll PA IV, L.P. 1140 Virginia Drive Fort Washington, PA 19034	Thornbury Township Delaware County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov
PAC510235	PAG-02 General Permit	Issued	Philadelphia Parks and Recreation 1515 Arch Street 10th Floor Philadelphia, PA 19102	City of Philadelphia Philadelphia County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov
PAC150297	PAG-02	Issued	PECO Energy Company 1008 West 8th Avenue Suite A King of Prussia, PA 19406	Borough of South Coatesville East Fallowfield Township Chester County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov
PAC150284	PAG-02	Issued	SBCM, Inc. t/a Short Brothers 121 W Minor St West Chester, PA 19382	New Garden Township Chester County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov
PAC510244	PAG-02	Issued	Archdiocese of Philadelphia 222 North 17th Street Philadelphia, PA 19103-1202	City of Philadelphia Philadelphia County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090528	PAG-02 General Permit	Issued	RP 130 Middletown, LLC 92 Park Avenue Warminster, PA 18974-4816	Middletown Township Bucks County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa. gov
PAC090469 A-1 Major Amendment	PAG-02 General Permit	Issued	StoneMor PA LLC 3600 Horizon Boulevard Trevose, PA 19053-4945	Lower Southampton Bucks County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa. gov
PAC090498	PAG-02 General Permits	Issued	Francis P. Leahy, Jr. 410 Route 152 Perkasie, PA 18944-2630	Hilltown Township Bucks County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa. gov
PAC090520	PAG-02 General Permits	Issued	Posel Enterprises 212 Walnut Street Philadelphia, PA 19106-3904	Middletown Township Bucks County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa. gov
PAC230191 A-1	PAG-02 General Permit	Issued	Williamson College of the Trades 106 South New Middletown Road Media, PA 19063	Middletown Township Delaware County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa. gov
PAC130001	PAG-02 General Permit	Issued	Derrick Jones and Nicolette Sonmez Gene and Merella Kershner Robertino and Nicolette Y. Sonmez 757 Frederick's Grove Road Lehighon, PA 18235	Mahoning Township Carbon County	Carbon County Conservation District 5664 Interchange Road Lehighon, PA 18235 610-377-4894
PAC390168	PAG-02 General Permit	Issued	Air Products and Chemicals, Inc. 7201 Hamilton Blvd. Allentown, PA 18195	Hanover Township Lehigh County	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18104 610-391-9583
PAC440025	PAG-02 General Permit	Issued	CNHI 3301 South Hoover Road Wichita, KS 67215-1215	Union Township Mifflin County	Mifflin County Conservation District 20 Windmill Hill Suite 4 Burnham, PA 17009-1837 717.248.4695
PAC210274	PAG-02 General Permit	Issued	Jacqueline Ferentinus 5420 Mendenhall Drive Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812

NOTICES

2165

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670539	PAG-02 General Permit	Issued	Aaron Enterprises 300 Cloverleaf Road York, PA 17406	Conewago Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC010193	PAG-02 General Permit	Issued	Gettysburg Foundation 1195 Baltimore Pike Gettysburg, PA 17325	Cumberland Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC010187	PAG-02 General Permit	Issued	Waggoner Construction 1345 Bantz Mill Road East Berlin, PA 17316	Latimore Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAD140081	Individual Permit	Issued	Airport Park State College, LLC S. Fillmore Road & Wellfield Dr State College, PA 16801	Benner Township Centre County	DEP, NCRO Waterways & Wetlands Program 208 W 3rd Street Suite 101 Williamsport, PA 17701 570-327-3574 RA-EPWW-NCRO@pa. gov
PAD140083	Individual Permit	Issued	Walker Township 1068 Zion Back Road Bellefonte, PA 16823	Walker Township Centre County	DEP, NCRO Waterways & Wetlands Program 208 W 3rd Street Suite 101 Williamsport, PA 17701 570-327-3574 RA-EPWW-NCRO@pa. gov
PAC140138	PAG-02 GP	Issued	Andrew G. Kotzur 392 W. Sycamore Road Snow Shoe, PA 16874	Snow Shoe Township Centre County	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823-1400
PAC140064 A-1	PAG-02 GP	Issued	Fisherman's Paradise, LP North of 2825 Benner Pike Bellefonte, PA 16823	Benner Township Centre County	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823-1400
PAC170054	PAG-02 GP	Issued	City of DuBois East DuBois Avenue SR 219/DR 255 DuBois, PA 15801	City of DuBois Clearfield County	Clearfield County Conservation District 6395 Clearfield- Woodland Hwy Suite 2 Clearfield, PA 16830-1923

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC110081	PAG-02 General Permit	Issued	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Jackson Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 (814) 472-2120
PAC110090	PAG-02 General Permit	Issued	Peoples Natural Gas 375 North Shore Drive Pittsburgh, PA 15212	Cambria Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 (814) 472-2120
PAC630222A-1	PAG-02 General Permit	Issued	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055	Robinson Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
PAC630251	PAG-02 General Permit	Issued	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055	Union Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
PAC650120A-2	PAG-02 General Permit	Issued	Derry Township Municipal Authority P.O. Box 250 New Derry, PA 15671	Derry Township Salem Township New Alexandria Borough Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 (724) 837-5271
PAC650305	PAG-02 General Permit	Issued	Westmoreland County Bureau of Parks & Recreation 194 Donohoe Road Greensburg, PA 15601	Allegheny Township Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 (724) 837-5271
PAC250157	PAG-02 General Permit	Issued	Erie Water Works 240 West 12th Street Erie, PA 16501	Millcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC420020	PAG-02 General Permit	Issued	YWCA of Bradford 24 West Corydon Street Bradford, PA 16701	Bradford City McKean County	McKean County Conservation District 17137 Route 6 Smethport, PA 16749 814-887-4001

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 Pehala, Clerk Typist 2, 570-830-3077.

Permit No. 4021509MA, Construction Permit, Public Water Supply.

Applicant	Suez Water Pennsylvania, Inc. 6310 Allentown Road Suite 104 Harrisburg, PA 17112
Municipality	Dallas Township
County	Luzerne
Type of Facility	Public Water Supply
Consultant	Peng Chen, P.E. Suez Water Pennsylvania, Inc. 6310 Allentown Blvd Suite 104 Harrisburg, PA 17112
Permit Issued	March 22, 2022
Description of Action	Overbrook Well No. 4 integration into Shavertown water system.

Permit No. 1320501MA, Public Water Supply.

Applicant	Jim Thorpe Borough (Cherry St. Tank Rehabilitation Project-Permit Reissuance) 101 East 10th Street Jim Thorpe, PA 18229
Municipality	Jim Thorpe Borough
County	Carbon
Type of Facility	PWS
Consulting Engineer	Mr. Jason Saylor, P.E. Utility Service Company, Inc. 1230 Peachtree Street NE Suite 1100 Atlanta, GA 30309
Permit to Construct Issued	March 10, 2022

Permit No. 4022501, Public Water Supply.

Applicant	Hazleton City Authority HCA 2022 Operational Upgrade Part B Project 400 E. Arthur Gardner Parkway Hazleton, PA 18201
Municipality	City of Hazleton
County	Luzerne
Type of Facility	PWS
Consulting Engineer	Mr. John Synoski, PE Hazleton City Authority 400 E. Arthur Gardner Parkway Hazleton, PA 18201
Permit to Construct Issued	March 16, 2022

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

Construction Permit No. 3117504 MA, Minor Amendment, Public Water Supply.

Applicant	Borough of Huntingdon 530 Washington Street Huntingdon, PA 16652
Municipality	Huntingdon Borough
County	Huntingdon
Consulting Engineer	Andrew R. Glitzer, P.E. CET Engineering Services—GHD 321 Washington Street Huntingdon, PA 16652
Permit Issued	March 2, 2022
Description	Permit extension for the installation of a new bulk water loading station along Ice Plant Road, near the intersection with Route 26.

Construction Permit No. 2821512, Public Water Supply.

Applicant	T & J Valley View MHP LLC 1 West King Street Suite 2A Shippensburg, PA 17257
Municipality	Antrim Township
County	Franklin
Consulting Engineer	Robert H. Schemmerling, P.E. RHS Engineering, Inc. 2909 Conococheague Lane Greencastle, PA 17225
Permit Issued	January 6, 2022
Description	Manganese treatment, 4-log treatment of viruses, new well pump, and new booster pumps.

Construction Permit No. 0621535, Public Water Supply.

Applicant	Kutztown Produce Auction Inc. 209 Oakhaven Road Fleetwood, PA 19522
Municipality	Richmond Township
County	Berks

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

Permit Issued March 3, 2022

Description New sodium hypochlorite
disinfection system and 4-log
inactivation of viruses

Construction Permit No. 0621516, Public Water Supply.

Applicant **Western Berks
Water Authority**
91 Water Road
Sinking Springs, PA 19608

Municipality Centre Township

County **Berks**

Consulting Engineer R. Scott Hughes, P.E.
Gannett Fleming, Inc
P.O. Box 80794
Valley Forge, PA 19484-0794

Permit Issued November 24, 2021

Description Construction Permit approving
the installation of a new arsenic
treatment system.

**Construction Permit No. 6721513 MA, Minor
Amendment**, Public Water Supply.

Applicant **Liquid Management, LLC**
184 Meadowbrook Court
New Cumberland, PA 17070

Municipality Fairview Township

County **York**

Consulting Engineer Daniel S. Hershey, P.E.
Hershey Engineering, Inc
703 Woodcrest Avenue
Lititz, PA 17543

Permit Issued March 25, 2022

Description This is a construction permit for
proposed water system
improvements.

Operation Permit No. 0719508 issued to: **Altoona
Water Authority (PWS ID No. 4070023)**, 900 Chestnut
Avenue, Altoona, PA 166001, Antis Township, **Blair
County**, on February 28, 2022 for facilities approved
under Construction Permit No. 0719508. Approval to use
the new ozone system at the Tipton Water Treatment
Plant.

Operation Permit No. 3621521 issued to: **Robert
Fulton Fire Company (PWS ID No. 7360691)**, P.O.
Box 8, Peach Bottom, PA 17563, Fulton Township,
Lancaster County, on March 7, 2022 for facilities
approved under Construction Permit No. 3621521. Ap-
proval to use new facilities.

Operation Permit No. 0621520 issued to: **Mt Aetna
Mennonite School (PWS ID No. 3061283)**, 562 Woleber
Road, Myerstown, PA 17067, Tulpehocken Township,
Berks County, on February 28, 2022 for facilities ap-
proved under Construction Permit No. 0621520. Approval
to use new water system facilities.

Operation Permit No. 0621524 MA issued to: **Perry
Township Municipal Authority (PWS ID No. 3060123)**,
P.O. Box 308, Shoemakersville, PA 19555, Perry Town-
ship, **Berks County**, on February 28, 2022 for facilities
approved under Construction Permit No. 0621524 MA.
Approval to use modified interconnection with Shoe-
makersville.

Comprehensive Operation Permit No. 3060088 is-
sued to: **Pennsylvania American Water Company
(PWS ID No. 3060088)**, 852 Wesley Drive, Mechanics-
burg, PA 17055, Amity Township, **Berks County**, on
December 20, 2021 for the operation of facilities at Glen
Alsace District approved under Construction Permit No.
0621529 MA. Comprehensive operation permit for the
approval to operate the replaced Well No. DG 12 pump.

Operation Permit No. 2821509 issued to: **Quincy
Mini Mart (PWS ID No. 7280862)**, 8188 Anthony
Highway, Waynesboro, PA 17268, Quincy Township,
Franklin County, on January 31, 2022 for facilities
approved under Construction Permit No. 2821509. Ap-
proval to operate new facilities.

Rescission of Operation Permit No. 3121503 MA
issued to: **Alexandria Borough Water Authority
(PWS ID No. 4310021)**, 7561 Bridge Street, Suite 3, P.O.
Box 336, Alexandria, PA 16611, Alexandria Borough,
Huntingdon County, on January 31, 2022. Action is for
the Entire rescission of facilities approved under Opera-
tion Permit No. 3121503 MA. Rescission of Well No. 1.

Comprehensive Operation Permit No. 3060478 is-
sued to: **Stonersville Hotel, LLC (PWS ID
No. 3060478)**, 5701 Boyertown Pike, Birdsboro, PA
19508, Exeter Township, **Berks County**, on March 3,
2022 for the operation of facilities submitted under
Application No. 3060478. Transfer of PWS from PWSID
3060478 from Lois Heinly to David Dowdy and name
change to Stonersville Hotel, LLC.

Operation Permit No. 0621543 MA issued to: **Penn-
sylvania American Water Company (PWS ID
No. 3060069)**, 852 Wesley Drive, Mechanicsburg, PA
17055, Wyomissing Borough, **Berks County**, on March
10, 2022 for facilities at Penn District submitted under
Application No. 0621543 MA. Combined construction/
operation permit for the approval to replace the Well
No. 20 well pump and chlorine analyzer.

Operation Permit No. 0621533 MA issued to: **West-
ern Berks Water Authority (PWS ID No. 3060066)**,
91 Water Road, Sinking Spring, PA 19608, Lower
Heidelberg Township, **Berks County**, on January 18,
2022 for facilities submitted under Application
No. 0621533 MA replacement of existing IFE and CFE
turbidimeters.

Operation Permit No. 0621539 MA issued to: **Penn-
sylvania American Water Company (PWS ID
No. 3060069)**, 852 Wesley Drive, Mechanicsburg, PA
17055, Spring Township, **Berks County**, on January 10,
2022 for facilities at Penn District submitted under
Application No. 0621539 MA. Combined construction/
operation permit for the approval to replace the existing
Well No. 19 pH and chlorine analyzers.

Operation Permit No. 0621538 MA issued to: **Penn-
sylvania American Water Company (PWS ID
No. 3060069)**, 852 Wesley Drive, Mechanicsburg, PA
17055, Spring Township, **Berks County**, on January 7,
2022 for facilities submitted under Application
No. 0621538 MA. Combined construction/operation permit
for the approval to replace the Well No. 23 pH and
chlorine analyzers.

Operation Permit No. 0621512 MA issued to: **Borough of Boyertown (PWS ID No. 3060081)**, 100 South Washington Street, Boyertown, PA 19512, Boyerstown Borough, **Berks County**, on December 22, 2022 for facilities submitted under Application No. 0621512 MA. Designation of treatment segments for calculation of 1-log giardia inactivation.

Comprehensive Operation Permit No. 7360124 issued to: **Elizabethtown Area Water Authority (PWS ID No. 7360124)**, 211 West Hummelstown Street, Elizabethtown, PA 17022, Elizabethtown Borough, **Lancaster County**, on March 25, 2022 for the operation of facilities submitted under Application No. 7360124. Comprehensive operation permit for Elizabethtown Area Water Authority and for operation of turbidimeters and chlorine analyzers.

Source Water Protection Program Approval issued to **East Cocalico Township Authority**, 102 Hill Road, Denver, PA 17517, PWSID 7360113, East Cocalico Township, **Lancaster County**, on March 28, 2022.

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

Construction Permit No. 1822501MA, Public Water Supply.

Applicant	Crawford Township Authority
Address	P.O. Box 273 Jersey Shore, PA 17740
Municipality	Crawford Township
County	Clinton County
Consulting Engineer	Richard W. Marcinkevage, P.E. 431 S. Jones Street Lock Haven, PA 17745
Permit Issued	March 29, 2022
Description	This permit authorizes Crawford Township Authority to change the chemical used for pH adjustment in the Water Treatment Plant from soda ash to liquid caustic soda, and to pump this chemical directly from its delivery carboy into the raw water main with a new chemical feed pump.

Construction Permit No. 4922501MA, Public Water Supply.

Applicant	Pennsylvania American Water
Address	852 Wesley Drive Mechanicsburg, PA 17055
Municipality	East Buffalo Township
County	Union County
Consulting Engineer	Scott M. Thomas, P.E. 852 Wesley Drive Mechanicsburg, PA 17055
Permit Issued	March 29, 2022
Description	This permit authorizes rehabilitation and repainting of the interior and exterior of 1-million-gallon College Park Tank 1 (East) steel standpipe.

Construction Permit No. 1722501MA, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.— Treasure Lake Division
Address	665 South Dock Street Sharon, PA 16146
Municipality	Sandy Township
County	Clearfield County
Consulting Engineer	Zach Martin Aqua Pennsylvania, Inc. 665 South Dock Street Sharon, PA 16146
Permit Issued	March 24, 2022
Description	This permit approves replacement of the two chlorine analyzers at Treasure Lake's Bimini Well Site. Please comply with the Special Conditions attached to the permit.

Operation Permit No. 4919502MA issued to: **Municipal Authority of the City of Sunbury**, 462 South 4th Street, Sunbury, PA 17801, PWSID No. 4490007, City of Sunbury, **Northumberland County**, on March 28, 2022, for the operation of facilities approved under construction permit # 4919502MA. This permit authorizes the authority to operate Filters Nos. 5 and 6 and to replace multiple valves, actuators, and their appurtenances, turbidimeters and media at the water-filter plant. The authority is also authorized to increase the size of the re-wash drain to 6 inches to handle the backwash water flow.

Operation Permit No. 4115507 issued to: **Lycoming County Water & Sewer Authority**, 380 Old Cement Road, P.O. Box 186, Montoursville, PA 17754, PWSID No. 4410035, Fairfield Township, **Lycoming County**, on March 24, 2022 for the operation of facilities approved under construction permit # 4115507. This final operation permit approves operation of Well PW-3, with sodium hypochlorite disinfection, sodium hydroxide pH adjustment, and 4-log inactivation of viruses and upgrades to Well PW-2 and high service pumps.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

Southcentral Region: Clean Water Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Plan Location:

Municipality	Municipality Address	County
Manheim Township	1840 Municipal Drive Lancaster, PA 17601-4105	Lancaster

Plan Description:

Approval of a revision to the official plan of Manheim Township, Lancaster County has been issued. This action is a result of the review of a planning module for the Kissel Valley Farm Venue Development (DEP Code No. A3-36937-421-3; APS ID No. 1051003). The proposed development—to be located at 645 East Oregon Road in Lititz—consists of a public sewer extension to connect two residential EDUs and a farm venue currently served by an on-lot disposal system; also proposed is capacity for a future business park. The Department's review of the

plan revision has not identified any significant impacts resulting from this proposal. Any permits must be obtained in the name of Lancaster Area Sewer Authority.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

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

Plan Location:

<i>Municipality</i>	<i>Municipality Address</i>	<i>County</i>
Spring Township	539 Paige Hill Road Landisburg, PA 17040	Perry

Plan Description:

The request for planning exemption for the Patel Subdivision (DEP Code No. A3-50925-256-2E; APS ID No. 1058206) has been disapproved. The proposed development—located on Paige Hill Road in Spring Township, PA—consists of sewage planning for one new single-family home on an existing lot utilizing an on-lot disposal system with total project flows of 500 gallons per day. This request for planning exception has been disapproved because the submission does not qualify as an exemption from the requirement to revise the Official Plan because the subdivision proposes the use of onlot sewage disposal systems in an area underlain by carbonate geology as per Chapter 71, Section 71.51(b)(1)(ii).

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:

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

PPL EU Lancaster Mineral Insulating Oil Release, 217 Wohlsen Way, Lancaster, PA 17603, East Hempfield Township, **Lancaster County**. Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of PPL Electric Utilities Corporation, 1639 Church Road, Allentown, PA 18104 submitted a Final Report concerning remediation of site soil contaminated with PCB-containing mineral insulating oil. 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.

Potato Creek 3H Well Pad, Dividing Ridge Road, Austin, PA 16720, Norwich Township, **McKean County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335 on behalf of Pennsylvania General Energy Company, LLC, 120 Market Street, Warren, PA 16365, has submitted a Final Report concerning remediation of site soil contaminated with Zinc Chloride, Aluminum, Barium, Boron, Chloride, Lithium, Manganese, Selenium, Strontium, Vanadium and site groundwater contaminated with Chloride, Aluminum, Barium, Boron, Zinc, Lithium, Vanadium, Selenium, and Strontium. The report is intended to document remediation of the site to meet the Statewide Health and Background Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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.

J. Griffiths Pad 1, 1007 Hoag Hill Road, Montrose, PA 18801, Rush Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Coterra Energy Inc, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil and groundwater contaminated by releases of diesel-based drilling mud. The final report was not acceptable to meet a combination of Background and Statewide health standards and was disapproved by DEP on March 28, 2022.

RESIDUAL WASTE GENERAL PERMITS

Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

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

General Permit No. WMGR131NE001. Northampton Generating Company, L.P., 1 Horwith Drive, Northampton, PA 18067, Northampton Borough, **Northampton County**. A permit renewal for continued cover-

age under General Permit WMGR131 for the beneficial use of petroleum coke, uncontaminated and untreated wood chips generated during the pulp and/or paper making process, other paper and wood industry wastes comprised primarily of wood fibers, and tire-derived fuel as alternative fuels to be combined with waste coal/coal to produce specification fuel for circulating fluidized bed boilers. The permit also authorizes the beneficial use of the resulting ash generated for use as structural fill, soil substitute or soil additive, at coal mining activity sites, at abandoned surface mining sites, and other beneficial uses. The permit was issued by the Northeast Regional Office on March 24, 2022.

Persons interested in reviewing the general permit may contact Roger Bellas, Environmental Program Manager, 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.

General Permit No. WMGR070NE001. Wilkes-Barre Materials, LLC, 500 Chase Road, Shavertown, PA 18708. A permit renewal for continued coverage under General Permit WMGR070 for the beneficial use of baghouse fines from air pollution devices generated by hot mix asphalt plants for use as construction material, as levee core impermeable fill, and pipe bedding. Permit coverage is for the Wilkes-Barre Materials—315 Quarry located in Plains Township, **Luzerne County**. The permit was issued by the Northeast Regional Office on March 24, 2022.

Persons interested in reviewing the general permit may contact Roger Bellas, Environmental Program Manager, 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.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

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

General Permit No. WMGR028-NE011. New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664. A determination of applicability for the beneficial use of asphalt plant baghouse fines as a soil additive at the Laflin Asphalt Plant located in Plains Township, **Luzerne County**. The Department approved the determination of applicability on March 24, 2022.

Persons interested in reviewing the general permit may contact 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.

**OPERATE WASTE PROCESSING OR DISPOSAL
AREA OR SITE**

Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and 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 No. 101725. Taylor Recycling Inc., 1000 Union Street, Taylor, PA 18517, Taylor Borough, **Lackawanna County**. A municipal (construction and demolition) waste transfer station. The permit was issued by the Northeast Regional Office on March 28, 2022.

Persons interested in reviewing the general permit may contact Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18704-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

AG5A-58-00037A: Coterra Energy Inc., 2000 Park Lane, Pittsburgh, PA 15275, on January 4, 2022 to operate one (1) IC Engine, at the Burke, G., D. Pad 1 well pad site in Meshoppen Township, **Susquehanna County**.

AG5A-58-00040A: Coterra Energy Inc., 2000 Park Lane, Pittsburgh, PA 15275, on March 15, 2022 to operate one (1) IC Engine, at the Payne, D. Pad 1 well pad site in Hartford Township, **Susquehanna County**.

GP3-40-016C: Mericle Construction Inc., 100 Baltimore Drive, Wilkes-Barre, PA 18702, on February 4, 2022 to construct and operate a portable crushing operation with water sprays at their Center Point East—Phase 2B site in Pittston Township, **Luzerne County**.

GP9-40-016C: Mericle Construction Inc., 100 Baltimore Drive, Wilkes-Barre, PA 18702, on February 4, 2022 to install and operate four (4) Diesel I/C engines at their Center Point East—Phase 2B site in Pittston Township, **Luzerne County**.

GP3-40-025A: Hunlock Sand and Gravel Co., 121 Gravel Road, Hunlock Creek, PA 18621, on March 7, 2022 to construct and operate a Portable Crushing Operation with water sprays at their quarry in Hunlock Township, **Luzerne County**.

GP9-40-025A: Hunlock Sand and Gravel Co., 121 Gravel Road, Hunlock Creek, PA 18621, on March 7, 2022 to install and operate five (5) Diesel I/C engines at their quarry in Hunlock Township, **Luzerne County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

GP3-28-05035K: St. Thomas Development, Inc., 409 Stenton Avenue, Flourtown, PA 19031, on March 29, 2022, for portable nonmetallic mineral processing equipment located at the St. Thomas quarry in St. Thomas Township, **Franklin County**.

GP9-28-05035K: St. Thomas Development, Inc., 409 Stenton Avenue, Flourtown, PA 19031, on March 29, 2022, for one diesel fuel-fired internal combustion engine to power portable nonmetallic mineral processing equipment located at the St. Thomas quarry in St. Thomas Township, **Franklin County**.

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

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

AG5-18-00007A: Capital Oil & Gas, Inc., 6075 Silica Road, Suite A, Austintown, OH 44515, on March 25, 2022, for continued operation of one (1) 220 bhp natural-gas-fired four-stroke rich-burn Caterpillar model G3306 TA compressor engine with a Miratech model IQ-10-04-EC1 non-selective catalyst reduction (NSCR) unit, one (1) 215 bhp natural-gas-fired four-stroke rich-burn Caterpillar model G3406 NA compressor engine with Miratech model IQ-10-05-EC1 NSCR unit, along with two (2) 50 bbl produced fluids tanks and two (2) 275 gal lube oil tanks pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmissions Stations (BAQ GPA/GP-5) at the Beech Creek Compressor Station located in Noyes Township, **Clinton County**.

AG5-14-00003A: Capital Oil & Gas, Inc., 6075 Silica Road, Suite A, Austintown, OH 44515, on March 28, 2022, for authorization for continued operation of one (1) 365 bhp Caterpillar model G3412NA four-stroke rich-burn compressor engine equipped with a Maxim Silencer model EAC4-29-8 non-selective catalytic reduction (“NSCR”) unit, one (1) 425 bhp Caterpillar model G3408 CLE four-stroke lean-burn compressor engine along with several storage tanks pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5), at the Red Buck Compressor Station located in Snow Shoe Township, **Centre County**.

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

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

GP5-26-00483E/AG5-26-00001BB: Apollo Resources, LLC, 150 North Avenue, P.O. Box 235, Yatesboro, PA 16263, on March 21, 2022, for the construction and operation of a 415 bhp compressor engine as well as operation of a dehydrator, storage tanks, fugitive emission components, and a pig receiver at the Rumbaugh Compressor Station located in Lower Tyrone Township, **Fayette County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

GP3-25-1067A: Lindy Paving, Inc., Downing Avenue facility City of Erie, 1807 Shenango Road, New Galilee, PA 16141, on March 3, 2022, for the authority to construct and operate a new nonmetallic mineral processing plant powered by several non-road engines (BAQ-GPA/GP3) located at their new facility in the City of Erie, **Erie County**. This permit expires March 3, 2024.

GP11-25-1067A: Lindy Paving, Inc., Downing Avenue facility City of Erie, 1807 Shenango Road, New Galilee, PA 16141, on March 3, 2022, for the authority to construct and operate a new nonmetallic mineral processing plant powered by several non-road engines (BAQ-GPA/GP11) located at their new facility in the City of Erie, **Erie County**. This permit expires March 3, 2027.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

40-00149A: Bridon Bekaert Corporation, 101 Stevens Lane, Exeter, PA 18643, on March 14, 2022 for the operation of one (1) 4,800 CFM baghouse to control dust from a metal cutting operation at their facility in Exeter Borough, **Luzerne County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

24-012L: GrafTech USA, LLC, 800 Theresia Street, St Marys, PA 15857, on March 16, 2022, effective March 16, 2022, has issued a plan approval for reactivation of Source 186 (16 Carbottom furnaces) and associated controls in the City of St Marys, **Elk County**. This is a Title V facility. This will expire on September 30, 2023.

37-00293A: CEMEX Construction Materials Atlantic, LLC (CEMEX), 2001 Portland Park, Wampum, PA 16157-3913, on March 10, 2022, effective March 10, 2022, the Department of Environmental Protection (Department) issued Air Quality Plan Approval PA-37-00293A to CEMEX to authorize the installation and temporary operation of a 650 stph limestone crushing operation at their quarry located in Shenango and Wayne Townships, **Lawrence County**. This is a State Only facility. This will expire on September 10, 2023.

37-300C: North American Forgemasters Company, 710 Moravia Street, New Castle, PA 16101, on December 22, 2021, effective December 22, 2021, has issued a plan approval to authorize the installation and temporary operation of one new 33.6 MMBtu/hr forge furnace and one 30.6 MMBtu/hr heat treat furnace at their facility located in the City of New Castle, **Lawrence County**. This is a State Only facility. This will expire on June 22, 2023.

61-200B: Webco Industries, Inc., 363 Seneca Street, Oil City, PA 16301, on November 17, 2021, has issued a plan approval for establishment of a site-wide Carbon Monoxide emissions limit in the City of Oil City, **Venango County**. This is a State Only Synthetic Minor facility. This will expire on April 30, 2023.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

15-0067J: Herr Foods, Inc., 273 Old Baltimore Pike, Nottingham, PA 19362, on March 23, 2022, for the installation of two (2) additional natural gas fired batch kettle fryers, Kettle 2B-7 (# 7 Fryer) and Kettle 2B-8 (# 8 Fryer) as part of the Chip Line 2B Expansion at their facility located in West Nottingham Township, **Chester County**.

09-0197A: Hiossen Inc., 85 Ben Fairless Drive, Fairless Hills, PA 19030, on March 24, 2022, for the installation of an acid etching machine using hydrochloric, sulfuric, and hydrofluoric acids, with two (2) Balestri Technologies SRL counter-current packed towers (in parallel) and having a co-current spray column to control and neutralize the acid fumes at their location in Falls Township, **Bucks County**.

23-0014I: Kimberly-Clark of Pennsylvania, LLC, 1 Avenue of the States, Chester, PA 19013, on March 23, 2022, for the installation of a cogeneration system to provide steam to the manufacturing process and electricity to the facility and potentially to the grid; the project consists of two (2) 185 MMBtu/hr natural gas-fired combustion turbines and 83 MMBtu/hr supplemental burners (i.e., heat recovery steam generating units) at the facility. Each turbine and supplemental burner set will be equipped with dry low NO_x burners and a selective catalytic reduction (SCR) system for nitrogen oxide (NO_x) control. In addition, an oxidation catalyst will be installed for carbon monoxide (CO) control. Turbine # 1 will be capable of being diverted from the HRSG unit and venting emissions directly to the atmosphere. The facility is in the City of Chester, **Delaware County**.

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

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

53-00018A: PA Pellets, LLC, 958 State Route 49 West, Ulysses, PA 16948, on March 28, 2022, received authorization for plan approval extension to operate the natural gas-fired wood pellet rotary dryer at their facility located in Ulysses Borough, **Potter County**, on a temporary basis to September 25, 2022. The plan approval has been extended.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

42-004K: American Refining Group, 77 North Kendall Avenue, Bradford, PA 16701, on February 24, 2022, effective February 24, 2022, has issued a plan approval extension to allow continued project shakedown activities in the City of Bradford, **McKean County**. This is a Title V facility. This will expire on August 31, 2022.

43-273A: Select Industries Incorporated, d/b/a Select Metal Litho Greenville, 242 Reynolds Industrial Park Drive, Greenville, PA 16125, on February 24, 2022,

effective February 24, 2022, has issued a plan approval extension to allow time for the facility to submit an administrative amendment application and the Department to do a plan approval compliance inspection for Source 106 in Pymatuning Township, **Mercer County**. This is a State Only facility. This will expire on June 30, 2022.

43-309C: Deist Industries, LLC—Bucks Fabricating, 3547 Perry Highway, Hadley, PA 16130, on March 4, 2022, effective March 4, 2022, has authorized both a plan approval extension, and a transfer of the extension, due to an ownership change, as the new permittee requested more time to arrive at the desired VOC limits in Sandycreek Township, **Mercer County**. This is a proposed Title V facility. This extension will expire on September 30, 2022.

62-0320: Ellwood National Forge, Irvine Facility, 1 Front Street, Irvine, PA 16329, on February 25, 2022, effective February 25, 2022, has issued a plan approval extension to allow both parties more time to complete a plan approval compliance inspection so it can potentially be included in the upcoming Operating Permit renewal in Brokenstraw Township, **Warren County**. This is a Title V facility. This will expire on June 30, 2022.

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

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

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

09-00022: Cleveland Steel Container Corporation, 350 Mill Street, Quakertown, PA 18951, on March 24, 2022, for the renewal of a Synthetic Minor Operating Permit for their metal pail coating lines, roller-coater line and curing ovens located in Quakertown Borough, **Bucks County**.

09-00125: Naceville Materials JV, 5031 Point Pleasant Pike, Doylestown, PA 18901, on March 23, 2022, for the renewal of a Natural Minor Operating Permit for their stone crushing plant located in Plumstead Township, **Bucks County**.

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

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

24-00150: Horizon Wood Products, P.O. Box 471, Ridgway, PA 15853. On March 24, 2022, the Department renewed a State Only Operating Permit for the facility located in Fox Township, **Elk County**. The facility is a Natural Minor. The primary sources at the facility are a Biomass Wood Boiler and a Natural-Gas Boiler. Potential emissions from the boilers are as follows: 4.35 tpy NO_x; 2.36 tpy CO; 2.41 tpy PM; 0.08 tpy SO₂; 0.34 tpy VOC. The wood fueled boiler is subject to 40 CFR Part 63 Subpart JJJJJJ, the NESHAP for Area Source Boilers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

42-00187: Resting Acres Pet Cemetery, 1353 South Avenue, Bradford, PA 16701. On March 17, 2022, the Department issued a State Only Operating Permit renewal for the facility located in Bradford Township, **McKean County**. The facility is a Natural Minor. The

primary sources at the facility are 3 natural gas fueled crematories: Crematory A, rated at 1.5 million Btu/hr; and Crematories B and C, each rated at 1.3 million Btu/hr. Annual emissions from the facility are less than 1 tpy for all regulated pollutants. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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.

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

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

19-00004: Cheetah Chassis Corp., P.O. Box 388, Berwick, PA 18603, on March 21, 2022, was issued a revised State-Only (Synthetic Minor) Operating Permit to correct a typographical error by revising the hazardous air pollutant emissions limitations to reflect the current coating throughput limit for their Berwick facility located in the Borough of Berwick, **Columbia County**. The revised State-Only (Synthetic Minor) Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

SOOP-56-00244: Pa. Department of Corrections, 1920 Technology Parkway, Mechanicsburg, PA 17050. Administrative Amendment, issued on March 11, 2022, to change the name of the Responsible Official Contact, on the permit. The name of the Responsible Official is now Eric Tice, Superintendent, SCI Somerset. SCI-Somerset is located in Brothersvalley Township, **Somerset County**.

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

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

10-00379: Mountain Gathering, LLC, Penn Cryo Facility, 190 Thorn Hill Rd., Warrendale, PA 15086-7528, on March 17, 2022 the Department issued an administrative amendment to the State Operating Permit for the facility located in Penn Township, **Butler County**. The amendment incorporates the change of responsible official, permit contact, mailing address, phone number, and email addresses.

10-00380: Mountain Gathering, LLC, Jefferson Compressor Station, 190 Thorn Hill Rd., Warrendale, PA 15086-7528, on March 17, 2022 the Department issued an administrative amendment to the State Operating Permit for the facility located in Jefferson Township, **Butler County**. The amendment incorporates the change of responsible official, permit contact, mailing address, phone number, and email addresses.

10-00381: Mountain Gathering, LLC, Forward Compressor Station, 190 Thorn Hill Rd., Warrendale, PA 15086-7528, on March 17, 2022 the Department issued an administrative amendment to the State Operating Permit for the facility located in Forward Township,

Butler County. The amendment incorporates the change of responsible official, permit contact, mailing address, phone number, and email addresses.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

03-00180: Eastern Gas Transmission and Storage, Inc. (EGTS), South Bend Compressor Station, 6603 West Broad Street, Richmond, VA 23230. The Department approved and authorized a de minimis emission increase resulting from the proposed installation and use of one (1) natural gas pipeline pig receiver at the South Bend Compressor Station located at South Bend Township, **Armstrong County**. EGTS is a major Title V facility. The VOC emissions resulting from this operation are estimated to be 0.003 tpy which is below the Title V permit authorized 25 Pa. Code § 127.449 de minimis emission increase threshold specified for VOC as 1 ton per source; 5 tons for facility for the term of the permit. This physical change meets the exemption criteria of 25 Pa. Code § 127.14(a)(8) [# 36—sources qualifying under 25 Pa. Code § 127.449 as de minimis emission increases]. The source(s) is exempt from plan approval as it complies with 25 Pa. Code § 127.14(b). In accordance with 25 Pa. Code § 127.449(i), this increase represents the total de minimis emission increase at the facility for the Operating Permit term commencing on September 23, 2016 and expiring on September 23, 2021. EGTS submitted a timely Title V renewal application to the Department for the South Bend Station on February 26, 2021.

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

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 No. 32100201. NPDES No. PA0262960. Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, renewal for the continued operation and restoration of a bituminous surface mine in Brush Valley Township, **Indi-**

ana County, affecting 58.5 acres. Receiving stream: Blacklick Creek classified for the following use: TSF. Application received: August 30, 2021. Permit issued: March 22, 2022.

Mining Permit No. 56210101. NPDES No. PA0279781. Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, commencement, operation and restoration of a bituminous surface mine in Summit Township, **Somerset County,** affecting 732.0 acres. Receiving stream: Elk Lick Creek and unnamed tributaries to Casselman River, to Casselman River classified for the following use: CWF & WWF. Application received: January 14, 2021. Permit issued: March 24, 2022.

Mining Permit No. 56210102. NPDES No. PA0279820. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, commencement, operation and restoration of a bituminous surface and auger mine in Paint & Richland Townships, **Somerset County,** affecting 279.7 acres. Receiving stream: unnamed tributaries of Paint Creek and Paint Creek classified for the following use: CWF & CWF. Application received: August 26, 2021. Permit issued: March 25, 2022.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, RA-EP KNOX@pa.gov, (Contact: Cayleigh Boniger).

Mining Permit No. 33100106. Strishock, LLC, P.O. Box 1006, DuBois, PA 15801. Renewal of an existing bituminous surface mine in Washington Township, **Jefferson County,** affecting 257.5 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed Tributaries to Horm Run and Fivemile Run, classified for the following uses: CWF. No changes proposed. Application received: January 14, 2022. Permit issued: March 24, 2022.

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

NPDES No. GP12-17-00061. Junior Coal Contracting, Inc., 2330 Six Mile Rd, Philipsburg, PA 16866. Application for coverage under GP-12 to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on **Surface Mining Permit No. 17051601** in Decatur Township, **Clearfield County.** Application received: September 10, 2021. Permit Issued: March 22, 2022.

Mining Permit No. 17814000. Rob Holland Enterprises, 52 Holland Lane, Curwensville, PA 16833, revision of permit for land use change from Forestland to Unmanaged Natural Habitat for an existing coal surface mine located in Penn Township, **Clearfield County,** affecting 23.8 acres. Receiving stream(s): Irish Run and Unnamed Tributaries to Irish Run classified for the following use(s): CWF. Application received: September 27, 2021. Permit Issued: March 23, 2022.

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

Mining Permit No. 54960101. Mountaintop Coal Mining, Inc., P.O. Box 183, Elysburg, PA 17824, renewal of an anthracite surface mine and coal refuse disposal operation in Barry and Foster Townships, **Schuylkill County,** affecting 255.18 acres. Receiving streams: Deep Creek and Hans Yost Creek. Application received: December 16, 2021. Renewal issued: March 25, 2022.

Noncoal Permits

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 No. 11060301. NPDES No. PAM421007. Cambria Industrial Metals, Inc., 100 Iron Street, Johnstown, PA 15906-2610, permit transfer of a large noncoal (industrial minerals) mine (formerly Jigging Technologies, LLC dba ATOLL) in East Taylor Township and the City of Johnstown, **Cambria County**, affecting 77.0 acres. Receiving stream: Hinckston Run, classified for the following use: WWF. Application received: August 18, 2021. Permit issued: March 18, 2022.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, RA-EP KNOX@pa.gov, (Contact: Cayleigh Boniger).

Mining Permit No. 37960301. NPDES No. PA0227188. Hanson Aggregates Pennsylvania, LLC, 7660 Imperial Way, Allentown, PA 18195, Renewal of NPDES No. PA0227188 in North Beaver and Mahoning Townships, **Lawrence County**, affecting 308.0 acres. Receiving stream: Unnamed tributary to Hickory Run and an unnamed tributary to Mahoning River, classified for the following use: TSF and WWF. Application received: June 30, 2021. Permit issued: March 10, 2022.

Mining Permit No. 4876SM2. Lakeland Sand & Gravel, Inc., 11203 Ellion Road, Conneaut Lake, PA 16316, Revision to an existing large noncoal surface mine to change the post-mining land use from Woods and Brushland to Industrial Commercial and Unmanaged Natural Habitat on the properties of Lakeland Sand & Gravel, Inc., Darla J. Adzima, and James E. Adzima in East Fallowfield Township, **Crawford County**, affecting 139.0 acres. Receiving stream: Unnamed tributaries to Crooked Creek, classified for the following uses: TSF. Application received: December 22, 2021. Permit issued: March 10, 2022.

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

NPDES Permit No. PA0594229. Mining Permit No. 66880301. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, renewal of NPDES permit on a quarry operation in Falls Township, **Wyoming County**. Receiving stream: Buttermilk Creek. Application received: December 24, 2018. Renewal issued: March 22, 2022.

NPDES Permit No. PA0226017. Mining Permit No. GP-105 No. 64212503. Leo's 848 Products, LLC, P.O. Box 277, Lake Como, PA 18437, new NPDES permit on GP-105 permit in Preston Township, **Wayne County**. Receiving stream: unnamed tributary to Kinneysville Creek. Application received: April 29, 2021. Permit issued: March 22, 2022.

NPDES Permit No. PA0226165. Mining Permit No. 6575SM2. Eureka Stone Quarry, Inc., P.O. 249, Chalfont, PA 18914, new NPDES permit on a quarry operation in Hamilton Township, **Monroe County**. Receiving stream: unnamed tributary to McMichael Creek. Application received: February 25, 2021. Permit issued: March 24, 2022.

Mining Permit No. PAM121048. Backcountry Blue-stone, LLC, 255 Skinner Hill Road, Susquehanna, PA 18847, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on Small Noncoal Permit No. 58210807 in Harmony Township, **Susquehanna**

County, receiving stream: Starrucca Creek. Application received: August 23, 2021. Coverage issued: March 24, 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

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov, (Contact: Ashley Smith).

Permit No. 60224101. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345. Blasting for commercial development located in Gregg Township, **Union County**, with an expiration date of March 14, 2023. Permit issued: March 28, 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. 36224107. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Aaron Horning manure pits in Earl Township, **Lancaster County**, with an expiration date of April 30, 2022. Permit issued: March 21, 2022.

Permit No. 39224103. American Rock Mechanics, Inc., 7531 Chestnut Street, Zionsville, PA 18092, construction blasting for Route 100 Warehouse in Upper Macungie Township, **Lehigh County**, with an expiration date of March 14, 2023. Permit issued: March 21, 2022.

Permit No. 40224104. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting Centerpoint West Lot 4 in Pittstown Township, **Luzerne County**, with an expiration date of March 10, 2023. Permit issued: March 21, 2022.

Permit No. 67224102. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, construction blasting for Belmont Ridge in West Manheim Township, **York County**, with an expiration date of March 10, 2023. Permit issued: March 21, 2022.

Permit No. 22224103. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, construction blasting for Enclave in Susquehanna Township, **Dauphin County**, with an expiration date of March 10, 2023. Permit issued: March 23, 2022.

Permit No. 22224104. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Terraces at Maplewood in Susquehanna Township, **Dauphin County**, with an expiration date of March 11, 2023. Permit issued: March 23, 2022.

Permit No. 23224101. M3 Explo, LLC, P.O. Box 528, Bowmansville, PA 17507, construction blasting for Edgemont 2 in Edgemont Township, **Delaware County**, with an expiration date of March 18, 2023. Permit issued: March 23, 2022.

Permit No. 67224104. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, construction blasting for Codorus Phase 3 & 4 in East Manchester Township, **York County**, with an expiration date of March 10, 2023. Permit issued: March 24, 2022.

Permit No. 64224003. Northeast Blasting, 403 Middle Creek Road, Honesdale, PA 18431, construction blasting for Gillow House Foundation in Berlin Township, **Wayne County**, with an expiration date of March 15, 2023. Permit issued: March 28, 2022.

Permit No. 64224004. Northeast Blasting, 403 Middle Creek Road, Honesdale, PA 18431, construction blasting for Roger McKinney Farm in South Canaan Township, **Wayne County**, with an expiration date of March 15, 2023. Permit issued: March 28, 2022.

Permit No. 36224108. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, construction blasting for Cornerstone Lot 1 in Rapho Township, **Lancaster County**, with an expiration date of March 10, 2023. Permit issued: March 28, 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-epuw-sero@pa.gov.

Permit No. E0901221-011, Upper Southampton Township, 939 Street Road, Southampton, PA 18966, Upper Southampton Township, **Bucks County**, ACOE Philadelphia District.

A single-family home located in the Southampton Creek floodplain to be demolished along with the ancillary structures on the lot. Lot to be re-graded and will be designated as Township open space.

Site is located at 325 Holly Drive (Hatboro, PA Lat: 40° 10' 09"; Long: -75° 03' 43") in Upper Southampton Township, Bucks County. Permit issued March 15, 2022.

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

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

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

To maintain the following water obstructions and encroachments associated with the Clayton Park Recreational Area:

1. An existing, 394-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).
2. An existing, 184-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).
3. An existing, 24-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).
4. An existing, 72-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).
5. An existing, 191-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).
6. An existing, 191-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).
7. An existing, 465-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).
8. An existing, 73-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).
9. An existing, 252-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

10. An existing, 144-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

11. An existing, 150-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

12. An existing, 92-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

13. An existing, 80-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

14. An existing, 152-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

15. An existing, 96-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

16. An existing, 128-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

17. An existing, 400-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

18. An existing, 118-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

19. An existing, 212-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

20. An existing, 128-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

21. An existing, 80-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

22. An existing, 128-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

23. An existing, 94-ft² floating recreational wooden dock structure with wood ramp within the normal pool elevation of Lake Henry (HQ-CWF, MF).

24. An existing, 96-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

25. An existing, 168-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

26. An existing, 230-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

27. An existing, 128-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

28. An existing, 400-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

29. An existing, 72-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

30. An existing, 120-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

31. An existing, 81-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

32. An existing, 152-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

33. An existing, 195-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

34. An existing, 128-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

35. An existing, 120-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

36. An existing, 170-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

37. An existing, 133-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

38. An existing, 80-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

39. An existing, 100-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

40. An existing, 188-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

41. An existing, 256-ft² pile-supported recreational aluminum dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

42. An existing, 164-ft² floating recreational wooden dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

43. An existing, 976-ft² floating recreational wooden/aluminum dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

44. An existing, 816.8-ft² floating recreational composite dock structure within the normal pool elevation of Lake Henry (HQ-CWF, MF).

The project is located in the Clayton Park RV Escape Campground on Lake Henry, (Lake Ariel, PA Quadrangle Latitude: 41° 27' 16"; Longitude: -75° 26' 54") in Lake Township, Wayne County.

E4002221-014. Susan Boris, 405 Lakeside Drive, Harveys Lake, PA 18618, Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove an existing 2,024 ft² dock structure and to construct and maintain a 1,184 ft², pile-supported boat-house and a 2,666 ft², pile-supported dock within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at Pole # 38, approximately 0.19 mile southeast of the intersection of Lakeside Drive (S.R. 415) and Washington Street (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 47"; Longitude: -76° 2' 8.64") in Harveys Lake Borough, Luzerne County.

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

E0829221-017: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Troy Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. A 300' by 300' well pad impacting 131 square feet (0.003 acre) of permanent Palustrine Emergent Wetland impacts. (East Troy, PA Quadrangle, Latitude: 41.767256°, Longitude: -76.711147°).

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 131 square feet (0.003 acre) of permanent PEM wetland impacts, all for the purpose of establishing a well pad for Marcellus well development in Smithfield Township, Bradford County. The permittee will provide 0.01 acre of PEM wetland mitigation at Camp Brook Restoration (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, 717-787-3411.

D15-125EA. Derek Davis, Township Manager, East Goshen Township, 1580 Paoli Pike, West Chester, PA 19380, East Goshen Township, **Chester County**, U.S. Army Corps of Engineers Philadelphia District.

The proposal to amend the existing Environmental Assessment Approval to include approximately 196 linear feet of bank restoration and stabilization, where the Hershey's Mill Dam is being removed, has been approved. The project is located across a tributary to Ridley Creek (WWF, MF) (Malvern, PA Quadrangle, Latitude: 40.0136; Longitude: -75.5574). Approved on March 25, 2022.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

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

ESCGP-3 # ESG076321015-00

Applicant Name EQM Gathering Opco, LLC

Contact Person Stephanie Frazier

Address 2200 Energy Drive

City, State, Zip Canonsburg, PA 15317

Township(s) Washington and Amwell

County Greene and Washington

Receiving Stream(s) and Classification(s) Trib. 40865 to

Tenmile Creek (TSF), Tenmile Creek (TSF), Trib. 40864

to Tenmile Creek (TSF), Trib. 40868 to Tenmile Creek

(TSF), Trib. 40402 to Ruff Creek (WWF), Trib. 40400 to

Ruff Creek (WWF); Tenmile Creek Watershed (TSF),

Ruff Creek (WWF)

ESCGP-3 # ESG076321022-00

Applicant Name CNX Gas Co, LLC

Contact Person Daniel Bitz

Address 1000 Consol Energy Drive

City, State, Zip Canonsburg, PA 15317

Township(s) South Franklin

County Washington

Receiving Stream(s) and Classification(s) UNT to Tenmile

Creek (TSF); Tenmile Creek (TSF)

ESCGP-3 # ESX10-059-0068

Applicant Name CNX Gas Co, LLC

Contact Person Daniel Bitz

Address 1000 Consol Energy Drive

City, State, Zip Canonsburg, PA 15317

Township(s) Morris

County Greene

Receiving Stream(s) and Classification(s) UNT to Boothe

Run (WWF), UNT to Enlow Fork (WWF); Booth Run

(WWF), Enlow Fork (WWF)

ESCGP-3 # ESG076321018-00

Applicant Name EQM Gathering Opco, LLC

Contact Person Stephanie Frazier

Address 2200 Energy Drive

City, State, Zip Canonsburg, PA 15317

Township(s) Morris

County Washington

Receiving Stream(s) and Classification(s) Pleasant Valley

Run (TSF), Tributary 40911 to Tenmile Creek (TSF),

Tributary 40931 to Tenmile Creek (TSF), Tributary

40933 to Tenmile Creek (TSF), Tenmile Creek (TSF),

Tributary 40913 to Short Creek (TSF), Tributary 40915

to Short Creek (TSF), Tributary 40916 to Short Creek

(TSF), Short Creek (TSF); Tenmile Creek (TSF)

ESCGP-3 # ESG073021015-00

Applicant Name EQM Gathering Opco, LLC

Contact Person Gregg West

Address 2200 Energy Drive

City, State, Zip Canonsburg, PA 15317

Township(s) Freeport & Springhill

County Greene

Receiving Stream(s) and Classification(s) Bissett Run

(WWF), Rockcamp Run (WWF); Pennsylvania Fork

Fish Creek (WWF), West Virginia Fork Fish Creek in

West Virginia (n/a)

ESCGP-3 # ESG076321023-00

Applicant Name CNX Gas CO LLC

Contact Person Daniel Bitz

Address 1000 Consol Energy Drive

City, State, Zip Canonsburg, PA 15317

Township(s) Morris

County Washington

Receiving Stream(s) and Classification(s) UNT to Tenmile Creek (TSF); Tenmile Creek (TSF)

Northwest Region: Oil & Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481.

ESCGP-3 # ESG080319007-01 Walnut M&R Station & Pipeline Project—Major Modification

Applicant Name INR Midstream, LLC
Contact Person Ian Costello
Address 2605 Cranberry Square
City, State, Zip Morgantown, WV 26508
Township(s) South Bend Township
County Armstrong

Receiving Stream(s) and Classification(s) Crooked Creek EV (WWM), Trib 46443 to Crooked Creek EV (WWF), Gobblers Run EV (WWF) and Trib 46430 to Gobblers Run (and associated UNTs) (WWF).
Secondary Allegheny River (WWF)

ESCGP-3 # ESX170190004-01—Hinch Smith to Bachelder Temporary Waterline—Major Modification
Applicant Name XTO Energy Inc.
Contact Person Melissa Breitenbach

Address 190 Thorn Hill Road
City, State, Zip Warrendale, PA 15086
Township(s) Butler, Jefferson and Penn Townships
County Butler

Receiving Stream(s) and Classification(s) Butcher Run (WWF), Connoquenessing Creek (WWF), Thorn Creek (CWF), Patterson Run (CWF)
Secondary: Connoquenessing Creek (WWF), Thorn Creek (CWF)

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

ESCGP-3 # ESG290822006-00
Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre PA 18840
County Bradford

Township(s) West Burlington
Receiving Stream(s) and Classification(s) Mill Creek (TSF—MF)
Secondary: Sugar Creek (TSF—MF)

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
22-28-007	Russell Standard Corporation 285 Kappa Drive Pittsburgh, PA 15238 Attn: Robert Guenther	Franklin	Greene Township	2 ASTs storing asphalt emulsion	60,000 gallons total

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the

environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

The Department has received the following plans and reports:

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

Contact: Richard Staron, Professional Geologist Manager.

Phila G Street Term, 51-33516, 4210 G St., Philadelphia, PA 19124, City of Philadelphia. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite

500, Exton, PA 19341 on behalf of MIPC, LLC, a subsidiary of Monroe Energy, 920 Cherry Tree Road, Aston, PA 19014, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with ethanol. The report is intended to document remediation of the site to meet nonresidential site-specific standards.

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

Contact: Eric Supey, Environmental Program Manager.

Sunoco 0364 1891, Storage Tank ID # 40-24243, 64 State Route 93, West Hazleton, PA 18202, Sugarloaf Township, **Luzerne County**. EnviroTrac, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sunoco Inc., 2 Wrighter Parkway, Suite 102, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide health standards.

UNI MART 4345 Effort PA, Storage Tank ID # 45-37983, 3197 Route 115, Effort, PA 18330, Chestnuthill Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of National Retail Properties, 450 South Orange Avenue, Suite 900, Orlando, FL 32801, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health standards.

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

Contact: Kim Bontrager, Clerk Typist 3.

Uni-Mart 04077, Storage Tank Facility ID # 33-15325, 512 E. Mahoning Street, Punxsutawney, PA 15767-2127, Borough of Punxsutawney, **Jefferson County**. Professional Service Industries, Inc., 1748 33rd Street, Orlando, FL 32839, on behalf of Uni-Mart 04077, 512 E. Mahoning Street, Punxsutawney, PA 15767-2127, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with benzene. The plan is intended to document the remedial actions for meeting the Statewide health standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has Taken Action on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

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

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

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

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

The DEP has received the following plans and reports:

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

Contact: Richard Staron, Professional Geologist Manager.

McHugh Bros, 09-11470, 152 Monroe Ave., Pennndel, PA 19047, Pennndel Borough, **Bucks County**. Roux Associates, Inc., 402 Heron Drive, Logan Township, NJ 08085, on behalf of Pennndel Properties, 152 Monroe Ave., Pennndel, PA 19047, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the residential Statewide health standards and was approved by the Department on March 28, 2022.

7 Eleven 40142, 51-30575, 2201 Walnut St., Philadelphia, PA 19103, **City of Philadelphia**. Groundwater and Environmental Services, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of the residential Statewide health standards and was approved by the Department on March 29, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

Saint Mary's Cemetery Association, Storage Tank ID # 40-50489, 1594 South Main Street, Wilkes-Barre, PA 18701, Hanover Township, **Luzerne County**. Terraphase Engineering, 1100 East Hector Street, Suite 416, Conshohocken, PA 19428, on behalf of Saint Mary's Cemetery Association, 134 South Washington Street, Wilkes-Barre, PA 18701, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of Statewide health standards and was approved by DEP on March 28, 2022.

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

Contact: Cynthia Stine, Licensed Professional Geologist.

Baer Grocery and Repair, Storage Tank Facility ID # 28-12307, 8766 Wayne Highway, Waynesboro, PA 17268-9414, Quincy Township, **Blair County**. Letterle & Associates, Inc., 202 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Galen Hess, 8260 Helman Road, Waynesboro, PA 17268 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on March 23, 2022.

Contact: Cherie Campbell, Soil Scientist.

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., P.O. Box 711 (loc 0148), Dallas, TX 75221-0711 submitted a Remedial Action Plan, concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was acceptable to meet the site-specific standard and was approved by DEP on March 31, 2022.

SPECIAL NOTICES

WASTE, AIR, RADIATION AND REMEDIATION

Public Notification to Solicit Comments on Lackawanna Energy Center, LLC

Title V Operating Permit, Permit No. TV-35-00069

Notice is hereby given under 25 Pa. Code § 127.424, that the Department of Environmental Protection (Department) is soliciting comments on the proposed initial Title V Operating Permit 35-00069 for **Lackawanna Energy Center, LLC** (the Permittee), 1000 Sunnyside Road, Jessup, PA 18434-6400 to incorporate **Plan Approval 35-00069B** and applicable emission limits, monitoring, testing, recordkeeping and reporting requirements into the proposed initial Title V Operating Permit. The facility is a natural gas-fired combined-cycle power plant producing a nominal 1,500 MWs of electricity in Jessup Borough, **Lackawanna County**.

The facility consists of three (3) identical 1 x 1 power blocks. Each combined-cycle process block includes one (1) combustion gas turbine with one (1) heat recovery steam generator, one (1) steam turbine, and one (1) air-cooled condenser. Additionally, one (1) 2,000 kW diesel-fired emergency generator, one (1) 315 HP diesel-fired emergency fire water pump, one (1) 184.8 MMBtu/hr natural gas-fired boiler, one (1) 12 MMBtu/hr natural gas-fired fuel gas heater, three (3) lubricating oil storage tanks, and one (1) aqueous ammonia storage tank. The potential to emit in tons per year (tpy) for the facility is 304.4 tpy of NO_x, 269.6 tpy of CO, 68.7 tpy of VOC, 73.1 tpy of PM, 147.5 tpy of PM₁₀/PM_{2.5}, 39.9 tpy of SO₂, 31.0 tpy of H₂SO₄, 0.02 tpy of Pb, 9.4 tpy of HCHO, 4,928,513 tpy of CO_{2e}, and 22.8 tpy total HAPs.

Persons wishing to provide the Department with additional information, which they believe should be considered during the Department's review of the Title V Permit application may submit the information to the

Department's Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915.

A public hearing will be held for the purpose of receiving comments on the proposed initial Title V Operating Permit. The hearing will be held on Wednesday, May 25, 2022, from 6 p.m. until 9 p.m. at Valley View High School, located at 1 Columbus Drive, Archbald, PA 18403. Persons interested in commenting are invited to appear at the public hearing.

Copies of the Title V application, the Department's technical review memo and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Northeast Regional Office at the address previously shown. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent to provide comments. The notice should be sent via mail or email to Mark Wejkszner, Air Quality Program Manager: mwejkszner@pa.gov, Department of Environmental Protection, Air Quality Program, and Colleen Connolly, Community Relations Coordinator: coconnolly@pa.gov, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. The Department will accept notices up to the day of the public hearing.

This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 5 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To ensure that all speakers have a fair and equal opportunity to present their testimony, individuals will be called on in an orderly fashion and relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Written comments on the permit application will be accepted by Monday, June 6, 2022, at 4 p.m. Written comments shall be submitted via mail or e-mail to Mark Wejkszner and Colleen Connolly as previously shown. Written comments must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed Title V Operating Permit No. 35-00069 and a concise statement regarding the relevancy of the information or any objections to the issuance of the Title V Operating Permit.

The Department will address comments from the public before any final actions are taken on the application. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Title V Operating Permit.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the previously shown address, or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information regarding the previous contact Mark Wejkszner at (570)-826-2511 or write to the Department at the Northeast Regional Office address previously shown.

WATER PROGRAMS

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).

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 as provided by law. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. Important legal rights are at stake, so you should show this document to a lawyer promptly.

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.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONAL PERMIT@pa.gov.

Applicant: **Natural Fuel Gas Supply Corporation**, 1100 State Street, Erie, PA 16512, FM120 Insertion Project.

Applicant is proposing the installation and maintenance of an approximately 12.5-mile-long, 6-inch FlexSteel pipeline insertion through an existing 1950's vintage bare steel 12-inch-diameter pipeline via approximately 33 excavated bell holes along the pipeline for the installation, pull out, and cathodic protection on the couplings in various municipalities within **Cameron, Elk and McKeen Counties** for the purpose of transporting natural gas. Select pipeline sections may require replacement via open cut construction methodology due to existing pipeline bend angles. The project consists of three Chapter 105 Water Obstruction and Encroachment Permits and one Chapter 102 Erosion and Sediment Control Permit. The following are the Chapter 105 permit applications being reviewed by the Department.

GP11283221-002. The **Cameron County** portion of the project is located within Shippen Township, U.S. Army Corps of Engineers, Baltimore District. The proposed project starts at the Elk County Boundary off of temporary access road (TAR)-10 (Latitude: 41.500393°; Longitude: -78.420100°) and extends to an area off of TAR-15 Station 1177 Access (Latitude: 41.458364°; Longitude: -78.388866°).

The proposed pipeline insertion length in the Cameron County portion of the FM120 Insertion Project is approximately 3.42 miles. The proposed Project impacts in Cameron County include a total 0.0027 acre of permanent

stream impacts and 0.155 acre of temporary stream impacts to West Creek, HQ-CWF, UNT(s) to West Creek, HQ-CWF, Big Run, HQ-CWF, UNTs to Big Run, HQ-CWF; 0.0183 acre of permanent floodway impacts and 1.31 acres of temporary floodway impacts; 1.14 acres of temporary impacts to PEM wetlands; and 0.029 acre of permanent impacts to PEM wetlands. 0.0104 acre of the permanent wetland impacts are to exceptional value (EV) wetlands. No compensatory mitigation is required.

GP112483221-002. The **Elk County** portion of the project is located within the City of Mary's and Jones Township, U.S. Army Corps of Engineers, Pittsburgh, and Baltimore District. The proposed project starts at the McKean County Boundary (Latitude: 41.6012336°; Longitude: -78.477792°) and extends to the Cameron County Boundary (Latitude: 41.500393°; Longitude: -78.420100°).

The proposed pipeline insertion length in the Elk County portion of the FM120 Insertion Project is approximately 7.8 miles. The proposed impacts in Elk County include 0.00076 acres of permanent stream impacts and 0.042 acre of temporary stream impacts to Straight Creek, HQ-CWF, UNT(s) to Straight Creek, HQ-CWF, Clear Creek, EV, UNT(s) to Clear Creek, EV, Little Clear Creek, EV; 0.015 acre permanent floodway impacts and 0.95 temporary floodway impacts; 2.33 acres of temporary impacts to PEM wetlands; and 0.063 acre of permanent impacts to PEM wetlands. 0.017 acre of the permanent wetland impacts are to exceptional value (EV) wetlands. No compensatory mitigation is required.

GP114283221-002. The **McKean County** portion of the project is located within Sergeant Township, U.S. Army Corps of Engineers, Pittsburgh District. The proposed project starts along existing TAR-1A (Latitude: 41.620550°; Longitude: -78.481666°) and extends to the Elk county boundary (Latitude: 41.601231°; Longitude: -78.477733°).

The proposed pipeline insertion length in the McKean County portion of the FM120 Insertion Project is approximately 1.27 miles. The proposed impacts in McKean County include 0.0006 acre of permanent stream impacts and 0.029 acre of temporary steam impacts to North Fork Straight Creek; 0.0029 acre of permanent floodway impacts and 0.16 acre of temporary floodway impacts; 4.08 acres of temporary impacts to PEM wetlands; and 0.077 acre of permanent impacts to PEM wetlands. 0.032 acre of the permanent wetland impacts are to exceptional value (EV) wetlands. No compensatory mitigation is required.

EROSION AND SEDIMENT CONTROL

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONAL PERMIT@pa.gov.

ESG830021001. The Department of Environmental Protection (Department) provides notice of final action regarding the following Chapter 102, Erosion and Sediment Control Permit Application related to Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities.

FM120 Insertion Project, the Project proposes approximately 82.1 acres of total disturbed area for the installation and maintenance of approximately 12.5 miles of FlexSteel pipe, of which approximately 11.9 acres are within **McKean County**, approximately 47.4 acres are within **Elk County**, and approximately 22.8 acres are within **Cameron County**.

<i>Permit No.</i>	<i>Applicant Name & Address:</i>	<i>Counties:</i>	<i>DEP Office:</i>
ESG830021001	National Fuel Gas Supply Corporation 1100 State Street Erie, PA 16501	Cameron County Elk County McKean County	Regional Permit Coordination Office

Any person aggrieved by this action may challenge it in an appropriate legal forum. The state and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 *et seq.*, is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending). You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

[Pa.B. Doc. No. 22-524. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Interstate Pollution Transport Reduction; Final 2022 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice of the final Nonelectric Generating Unit (non-EGU) 2022 Ozone Season (OS) Nitrogen Oxide (NO_x) emission limitations established under 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO_x trading programs).

The Department published notice of the proposed NO_x emission limitations at 52 Pa.B. 1068 (February 12, 2022) to allow for a 17-day public comment period, which closed on February 28, 2022. The Department did not receive any comments during the public comment period.

Specifically, 25 Pa. Code § 145.8(d) establishes a non-EGU NO_x Trading Program budget of 3,619 tons of NO_x, less a specified adjustment amount, to serve as a Statewide OS NO_x emissions cap for new and existing non-EGUs. This NO_x emissions cap also applies to Clean Air Interstate Rule exempt EGUs that are subject to the NO_x Budget Trading Program. If total emissions from all the units exceed the Statewide NO_x emissions cap of 3,438 tons, the owners and operators of non-EGUs must comply with the NO_x emission limitations established under 25 Pa. Code § 145.8(d). The final NO_x emissions limitations for individual units ensure that non-EGUs in this Commonwealth continue to meet the emission limits of the NO_x Budget Trading Program.

The Statewide cap for 2021 was not exceeded. Therefore, non-EGUs do not need to purchase allowances to meet their 2021 OS NO_x emission limitations established under 25 Pa. Code § 145.8(d). The NO_x emissions for the 2021 OS (May through September) reported to the United States Environmental Protection Agency by the owners and operators of the affected non-EGUs are 644 tons. The Department's permanent retirement of 3,438 NO_x allowances under 25 Pa. Code § 145.8(b) covers all the NO_x emissions from the affected non-EGUs in 2021. Table 1, as follows, lists the final non-EGU 2022 OS NO_x emission limits.

In addition to the 3,438-ton non-EGU cap previously described, 25 Pa. Code § 145.8(d)(12) provides 181 tons of NO_x emissions annually for non-EGUs and the other units that need to address their emissions through accounting adjustments, including units that previously participated in the NO_x Budget Trading Program. The Department may use a portion of the 181 tons of the budgeted NO_x emissions, if necessary, to address accounting mistakes or miscalculations. This year, the Department is not using any of the 181 tons of NO_x for accounting adjustments or to make corrections.

The following table, "Final Non-EGU 2022 OS NO_x Emission Limits," lists the following: the 'facility name,' 'ORIS code,' the 'unit ID' for each non-EGU unit, the '2021 NO_x mass (tons)' or the 2021 OS emissions, the '2021 heat input (MMBtu)' for the 2021 OS, the 'county' location of the facility, the calculated '2022 rate (lbs/MMBtu)' and the '2022 OS Limit (tons NO_x).'

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921 or ranbordner@pa.gov.

Table 1: Final Non-EGU 2022 Ozone Season NO_x Emission Limits

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2021 NO_x Mass (tons)</i>	<i>Heat Input (MMBtu)</i>	<i>County</i>	<i>2022 Rate (lbs/MMBtu)</i>	<i>2022 OS Limit (tons NO_x)</i>
AdvanSix Resins & Chemicals, LLC	880007	52	31.705	894,491.6	Philadelphia	0.32	143
Armagh Compressor Station	880071	31301	0	0	Indiana	0.32	0
Bernville Station	880049	32001	0	0	Berks	0.32	0
Domtar Paper Company, LLC	54638	40	14.605	631,223	Elk	0.32	101
Domtar Paper Company, LLC	54638	41	14.913	646,702	Elk	0.32	103
Entriiken Compressor Station	880072	31601	0	0	Huntingdon	0.32	0

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2021 NO_x Mass (tons)</i>	<i>Heat Input (MMBtu)</i>	<i>County</i>	<i>2022 Rate (lbs/MMBtu)</i>	<i>2022 OS Limit (tons NO_x)</i>
Merck & Company—West Point	52149	39	12.331	291,928.2	Montgomery	0.32	47
Merck & Company—West Point	52149	40	18.236	1,377,497	Montgomery	0.32	220
Philadelphia Refinery	52106	150137	2.284	153,273.6	Philadelphia	0.32	24
Pixelle Specialty Solutions	50397	36	145.775	1,267,773	York	0.32	202
Pixelle Specialty Solutions	50397	38	7.549	530,254.1	York	0.32	85
Pixelle Specialty Solutions	50397	39	10.207	765,179.2	Wyoming	0.32	122
Procter & Gamble Paper Products	50463	328001	104.435	1,980,857	Wyoming	0.32	316
Procter & Gamble Paper Products	50463	328002	7.919	1,815,738	Wyoming	0.32	290
SPMT Marcus Hook Industrial Complex	880107	AB01	4.811	374,482	Delaware	0.32	60
SPMT Marcus Hook Industrial Complex	880107	AB03	6.592	559,437.4	Delaware	0.32	89
SPMT Marcus Hook Industrial Complex	880107	AB04	3.853	463,317.4	Delaware	0.32	74
Shermans Dale Station	880050	31801	0	0	Perry	0.32	0
Trainer Refinery	880025	34	1.444	570,385.4	Delaware	0.32	91
Trainer Refinery	880025	35	1.471	549,077.3	Delaware	0.32	88
Trainer Refinery	880025	53	1.73	903,600.1	Delaware	0.32	144
US Steel (Clairton Coke)	50729	CLBLR1	155.912	1,621,414	Allegheny	0.32	259
US Steel (Clairton Coke)	50729	CLBLR2	60.158	860,142.3	Allegheny	0.32	137
US Steel (Edgar Thomson)	50732	ETBLR1	12.017	1,598,831	Allegheny	0.32	255
US Steel (Edgar Thomson)	50732	ETBLR2	15.226	1,590,993	Allegheny	0.32	254
US Steel (Edgar Thomson)	50732	ETBLR3	13.01	1,560,627	Allegheny	0.32	249
Veolia Energy Philadelphia—Edison Station	880006	1	0	0	Philadelphia	0.32	0
Veolia Energy Philadelphia—Edison Station	880006	2	0	0	Philadelphia	0.32	0
Veolia Energy Philadelphia—Edison Station	880006	3	0.505	3,740.7	Philadelphia	0.32	1
Veolia Energy Philadelphia—Edison Station	880006	4	1.272	6,923.6	Philadelphia	0.32	1
Veolia Energy Philadelphia—Schuylkill	50607	23	0	0	Philadelphia	0.32	0
Veolia Energy Philadelphia—Schuylkill	50607	24	0	0	Philadelphia	0.32	0
Veolia Energy Philadelphia—Schuylkill	50607	26	13.063	379,670.8	Philadelphia	0.32	61
Veolia Energy Philadelphia—Schuylkill	50607	RSB1	0.387	76,746.01	Philadelphia	0.32	12
Veolia Energy Philadelphia—Schuylkill	50607	RSB2	0.242	53,805.69	Philadelphia	0.32	9
<i>Totals:</i>			661.652	21,528,110			3,437

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-525. Filed for public inspection April 8, 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 Lycoming County and Washington 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. The 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>
Northcentral	Lycoming	Lycoming County	Plan Revision	\$82,500
Southwest	Washington	Washington County	Plan Revision	\$19,824

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-526. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale

Blair County

The Department of General Services (Department) will accept bids for the purchase of 13.63 acres ± of commercially developable land known as Lot D of Hollidaysburg Veterans Home located at the south side of Municipal Drive, Allegheny Township, Blair County, Hollidaysburg. Bids are due Wednesday, July 27, 2022. Interested parties wishing to receive a copy of Solicitation No. 95186 should view the Department's web site at www.dgs.pa.gov/RealEstate or call Andrew Lick at (717) 772-8842.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 22-527. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale

Blair County

The Department of General Services (Department) will accept bids for the purchase of 111.36 acres ± of commercially developable land known as Lot C of Hollidaysburg Veterans Home located at the north side of Municipal Drive, Allegheny Township, Blair County, Hollidaysburg. Bids are due Wednesday, July 27, 2022. Interested parties wishing to receive a copy of Solicitation No. 95185 should view the Department's web site at www.dgs.pa.gov/RealEstate or call Andrew Lick at (717) 772-8842.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 22-528. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Abington Hospital—Endoscopy Center	28 Pa. Code § 553.31(a) and (b) (relating to administrative responsibilities)
Allegheny Health Network Endoscopy Center, Westmoreland	28 Pa. Code § 553.31(a) and (b)
Allegheny Health Network Monroeville Surgery Center	28 Pa. Code § 567.53(1) (relating to sterilization control)
Allegheny Surgery Center, LLC	28 Pa. Code § 555.31(a) (relating to principle)
BMMSA Heart and Vascular Center of the Main Line	28 Pa. Code § 569.35(7) (relating to general safety precautions)
Dermatologic Surgicenter—Philadelphia	28 Pa. Code § 553.31(a)
Geisinger Medical Center Outpatient Surgery Woodbine	28 Pa. Code § 551.3 (relating to definitions)
Geisinger Wyoming Valley Outpatient Surgery Centerpoint	28 Pa. Code § 553.1 (relating to principle)
	28 Pa. Code § 555.1 (relating to principle)
	28 Pa. Code § 555.2 (relating to medical staff membership)
	28 Pa. Code § 555.3(a)—(f) (relating to requirements for membership and privileges)
	28 Pa. Code § 555.4(a)—(c) (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners)
	28 Pa. Code § 557.2(a)—(d) (relating to plan)
	28 Pa. Code § 557.3(a)—(f) (relating to Quality Assurance and Improvement Program)
	28 Pa. Code § 563.1 (relating to principle)
	28 Pa. Code § 563.2(a) and (b) (relating to organization and staffing)
Wellspan Dr. Roy A. Himelfarb Surgery Center	28 Pa. Code § 551.21(d)(3) (relating to criteria for ambulatory surgery)

The following ASF has filed a request for exception under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to *Guidelines for Design and Construction of Hospitals and of Outpatient Facilities*, as published by the Facility Guidelines Institute (*FGI Guidelines*). The following list includes the citation to the section of the *FGI Guidelines* for which the hospital is seeking an exception and the year of publication.

<i>Facility Name</i>	<i>Guidelines Section and relating to</i>	<i>Yr¹</i>
Children's Dental Surgery	2.1-3.2.3.2(1)(a) space requirements	18-O

¹ 2018 Year *FGI Regulations* were split into 2 books; *Hospitals*, and *Outpatient Facilities* as indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, 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. 22-529. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from March 1, 2022, through March 31, 2022. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelder, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding Home Health agencies should be directed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Beaver Valley Ambulatory Surgery Center, LLC	§ 551.21(d)(2) (relating to criteria for ambulatory surgery)	03/10/2022	Granted w/Conditions
BMMSA Heart and Vascular Center of the Main Line	§ 551.21(d)(1) and (3)	03/11/2022	Granted w/Conditions
Hermitage Endoscopy Center, Inc.	§ 571.1 (relating to minimum standards) 2.7-3.9.1 staff lounge	03/10/2022	Granted
Huntingdon Valley Surgery Center	§ 551.21(d)(1)	03/10/2022	Granted w/Conditions
Jefferson Surgical Center at the Navy Yard	§ 553.31(a) (relating to administrative responsibilities)	03/10/2022	Granted w/Conditions
Pain Center of Wyoming Valley, LLC	§ 571.1 A2.1-3.2.3.2 space requirements	03/10/2022	Granted w/Conditions
Pocono Ambulatory Surgery Center, Limited	§ 571.1 A2.1-3.2.3.2 space requirements	03/10/2022	Granted
Premier at Exton Surgery Center, LLC	§ 551.21(d)(1)	03/10/2022	Granted w/Conditions

Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
UPMC Somerset	§ 107.61 (relating to written orders)	03/10/2022	Granted w/Conditions
Wellspan York Hospital	§ 133.21 (relating to facilities)	03/11/2022	Granted

Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Bradford County Manor	§ 201.22(h) (relating to prevention, control and surveillance of tuberculosis (TB))	03/01/2022	Granted
Dock Terrace	§ 205.33(b) (relating to utility room)	03/15/2022	Granted
	§ 205.36(h) (relating to bathing facilities)	03/15/2022	Granted
Monumental Post-Acute Care at Woodside Park	§ 205.6(a) (relating to function of building)	03/01/2022	Granted
Mountain Laurel Healthcare and Rehabilitation Center	§ 201.22(e)	03/01/2022	Granted
Mountain Top Healthcare and Rehabilitation Center	§ 201.22(e)	03/21/2022	Granted
Pennwood Nursing and Rehabilitation Center, LLC	§ 201.22(j)	03/15/2022	Granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Promedica Skilled Nursing and Rehabilitation (Oxford Valley)	§ 201.22(j)	03/01/2022	Granted
The Glen at Willow Valley	§ 201.22(j)	03/01/2022	Granted
The Villa Crest	§ 201.18(e) (relating to management)	02/26/2022	Granted
	§ 205.6(a)	02/26/2022	Granted

Home Health Agencies

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Bayada Home Health Care, Inc. (100 North 20th Street, Philadelphia)	§ 601.31 (relating to acceptance of patients, plan of treatment and medical supervision)	03/21/2022	Granted
Bayada Home Health Care, Inc. (Boulevard of the Generals, Norristown)	§ 601.31	03/21/2022	Granted
Bayada Home Health Care, Inc. (East Pennsylvania Avenue, Downingtown)	§ 601.31	03/21/2022	Granted
Bayada Home Health Care, Inc. (Fitzwatertown Road)	§ 601.31	03/21/2022	Granted
Bayada Home Health Care, Inc. (York Road, Jameson)	§ 601.31	03/21/2022	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-530. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Bradford Regional Medical Center	28 Pa. Code § 109.2(b) (relating to director of nursing services)
Lehigh Valley Hospital—Dickson City	28 Pa. Code § 107.2 (relating to medical staff membership)
	28 Pa. Code § 107.61 (relating to written orders)
	28 Pa. Code § 107.62(a) and (b) (relating to oral orders)
	28 Pa. Code § 109.2(b)
	28 Pa. Code § 111.27(b) (relating to nutritional aspects of patient care)
	28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards)
	28 Pa. Code § 127.32 (relating to written orders)
The Milton S. Hershey Medical Center	28 Pa. Code § 107.26(b)(1) (relating to additional committees)
Penn State Health Hampden Medical Center	28 Pa. Code § 107.26(b)(1)
Penn State Health Holy Spirit Medical Center	28 Pa. Code § 107.26(b)(1)
Penn State Health Lancaster Medical Center	28 Pa. Code § 107.26(b)(1)

<i>Facility Name</i>	<i>Regulation and relating to</i>
Penn State Health Saint Joseph	28 Pa. Code § 107.26(b)(1)
Wellspan Gettysburg Hospital	28 Pa. Code § 146.2 (relating to isolation procedures)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities—2014 Edition*, or *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr¹</i>
The Bryn Mawr Hospital	2.1-7.2.2.10(1) handrails	18
The Chambersburg Hospital	2.1-8.5.2.3(4)(a) technology distribution room (TDR)	18
Geisinger Wyoming Valley Medical Center	2.2-3.4.10.2(2)(a) patient toilet rooms	18
Jefferson Health—Northeast	2.2-3.5.3.4(1), (3) and (7) support areas for radiosurgery rooms	18
	2.2-3.5.3.5(1) additional support areas for the radiosurgery device	18
Saint Luke's Hospital of Bethlehem, Pennsylvania	2.5-2.2.2.7 patient bathing facilities	18
UPMC Jameson	2.1-7.2.2.2 ceiling height	18
Washington Health System Greene	2.1-3.10.2.2 patient toilet room(s)	18-O
	2.2-3.4.2.5(1)(a) system component room	18

¹ 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-531. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Recognized Lifeguard Certifying Authorities for 2022; Amended Notice

This notice amends the original Recognized Lifeguard Certifying Authorities for 2022 notice, published at 51 Pa.B. 7132 (November 13, 2021) and amended at 51 Pa.B. 7803 (December 11, 2021), to include World Academy of Safety and Health as a lifeguard certifying authority meeting the requirements in 28 Pa. Code § 18.42 (relating to certified lifeguards) and is recognized by the Department of Health as a lifeguard certifying authority for 2022. The remainder of 51 Pa.B. 7132 as amended at 51 Pa.B. 7803 remains unchanged.

For additional information or persons with a disability who require an alternative format of this notice, (for example, large print, audiotape, Braille) contact Crystal Welsh, Limited English Proficiency Coordinator, Department of Health, Bureau of Community Health Systems, 30 Kline Plaza, Harrisburg, PA 17104, (717) 787-4366. 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. 22-532. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Program Fee Schedule Addition

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Human Services (Department) announces the addition of two procedure codes to the Medical Assistance (MA) Program Fee Schedule for use in laboratory testing for multiple respiratory pathogens, including SARS-CoV-2 (COVID-19), effective with dates of service on and after March 21, 2022.

Fee Schedule Addition

The Department is adding the following procedure codes to the MA Program Fee Schedule as follows:

<i>Procedure Code</i>	<i>Procedure Code Description</i>	<i>Provider Type/ Specialty</i>	<i>Place of Service/ Modifier</i>	<i>MA Fee</i>	<i>Limits</i>	<i>Prior Authorization Required</i>
87636	Infectious agent detection by nucleic acid (DNA or RNA); severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease (COVID-19)) and influenza virus types A and B, multiplex amplified probe technique	01/016 01/016 01/017 01/017 01/183 01/183 08/082 08/082 09/All 09/All 10/100 10/100 28/280 28/280 31/All 31/All 33/335 33/335	23 23/QW 23 23/QW 22 22/QW 49 49/QW 11 11/QW 11 11/QW 81 81/QW 11 11/QW 11 11/QW	\$112.86 per test	1 test per day	No
87637	Infectious agent detection by nucleic acid (DNA or RNA); severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease (COVID-19)), influenza virus types A and B, and respiratory syncytial virus, multiplex amplified probe technique	01/016 01/016 01/017 01/017 01/183 01/183 08/082 08/082 09/All 09/All 10/100 10/100 28/280 28/280 31/All 31/All 33/335 33/335	23 23/QW 23 23/QW 22 22/QW 49 49/QW 11 11/QW 11 11/QW 81 81/QW 11 11/QW 11 11/QW	\$112.86 per test	1 test per day	No

Fiscal Impact

There is no fiscal impact associated with this notice.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received will be reviewed and considered for any subsequent revisions to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1503. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 22-533. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Highly Automated Vehicle Advisory Committee Teleconference Meeting

The Highly Automated Vehicle Advisory Committee will hold a teleconference meeting on Wednesday, April 20, 2022, between 1 p.m. and 3 p.m. This teleconference meeting will be held by means of Microsoft Teams. Attendees from the public should RSVP to the following e-mail address to receive call-in information.

For more information or to RSVP, contact Mark C. Kopko, Director, Office of Transformational Technology, (717) 783-1903, markkopko@pa.gov.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-534. Filed for public inspection April 8, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

National Electric Vehicle Infrastructure Formula Program State Plan Teleconference Meeting

The Department of Transportation will hold a teleconference meeting on Wednesday, April 27, 2022, between 2 p.m. and 3 p.m. to discuss the proposed State plan required as part of the National Electric Vehicle Infrastructure Program requirement. This teleconference meeting will be held by means of Microsoft Teams. Attendees from the public should RSVP to the following e-mail address to receive meeting information. The meeting agenda will be available at penndot.pa.gov/EV.

For more information or to RSVP, contact Nicholas Miller, Executive Policy Specialist, (717) 857-3209, minichola@pa.gov.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-535. Filed for public inspection April 8, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

Lake Erie Commercial Fishing—2022

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

Pa. Code § 69.31(b) (relating to seasons), has determined that the 2022 total allowable commercial catch for walleye from the Commonwealth waters of Lake Erie is 4,000 pounds. The commercial fishing season for walleye on Lake Erie is January 1 to March 14 and 12:01 a.m. the first Saturday in May to December 31. This season shall end when the Executive Director determines that 4,000 pounds of walleye probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

The Executive Director of the Commission, acting under the authority of 58 Pa. Code § 69.31(c), has established that the 2022 total allowable commercial catch for yellow perch from the Commonwealth waters of Lake Erie is 100,000 pounds. The commercial fishing season for yellow perch on Lake Erie is January 1 until the date the Executive Director determines that 100,000 pounds of yellow perch probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 22-536. Filed for public inspection April 8, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

Lake Erie Creel Limits for Walleye and Yellow Perch—2022

The Executive Director of the Fish and Boat Commission, acting under the authority of 58 Pa. Code § 69.12b (relating to Lake Erie walleye and yellow perch adaptive management for establishing daily limits) has established the daily limits for walleye and yellow perch that are necessary and appropriate for the better protection and management of the fishery. Effective May 1, 2022, the daily limit for yellow perch is 30. Effective May 7, 2022, the daily limit for walleye in Lake Erie is 6.

The Executive Director may revise the daily limit for walleye or yellow perch if he determines that conditions so warrant. The daily limits will remain in effect until April 30, 2023, or until the Executive Director establishes new daily limits. Anglers are responsible for obtaining the current daily limits for walleye and yellow perch on Lake Erie including Presque Isle Bay prior to fishing those waters.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 22-537. Filed for public inspection April 8, 2022, 9:00 a.m.]

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-566	Environmental Quality Board Exclusion for Identification and Listing Hazardous Waste at MAX Environmental Technologies, Inc. Bulger and Yukon Facilities 52 Pa.B. 235 (January 8, 2022)	2/22/22	3/24/22

**Environmental Quality Board Regulation # 7-566
(IRRC # 3325)**

**Exclusion for Identification and Listing Hazardous
Waste at MAX Environmental Technologies, Inc.
Bulger and Yukon Facilities**

March 24, 2022

We submit for your consideration the following comments on the proposed rulemaking published in the January 8, 2022 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

Protection of the public health, safety and welfare and the effect on this Commonwealth's natural resources; Reasonableness; Implementation procedures.

The purpose of this proposed rulemaking is to conditionally exclude the wastewater treatment sludge filter cake generated at MAX Environmental Technologies, Inc. Bulger and Yukon facilities (MAX) from the list of hazardous wastes found in 40 CFR 261.31 (relating to hazardous wastes from non-specific sources). This proposed rulemaking is the result of two petitions filed by MAX to conditionally delist the sludge filter cake as hazardous waste for both facilities.

Commentators have raised several concerns with the proposal and the negative impact it could have on the environment. The comments that follow address three of the concerns. First, they contend that MAX has a history of noncompliance which reflects their "lack of ability or intent to consistently comply with the regulatory schemes under which it operates." Second, the rulemaking does not include a testing requirement for radium. Third, commentators believe the reporting requirements are insufficient.

Based on the concerns identified above, we offer the following comments. First, the Preamble provides an explanation of the federal and state statutory and regulatory provisions that guide procedural steps involved with a delisting petition. The explanation includes the following statement, "If the delisting analysis shows that a currently listed waste meets those delisting criteria in 40 CFR 260.22(a), then the Department must move forward with delisting process." We ask the EQB to answer the

following questions in the Preamble to the final-form rulemaking. Do the cited statutes and regulations allow the EQB to consider the history of compliance of the petitioner when it considers a petition for delisting? In the interest of adequately protecting the public health, safety and welfare and the Commonwealth's natural resources, are there other statutes or regulations that would give the EQB the authority to evaluate the compliance history of a petitioner?

Second, the rulemaking requires testing for arsenic, barium, cadmium, chromium, lead, mercury selenium and silver. However, it does not require testing for radium. This appears problematic because both MAX facilities accept oil and gas drilling wastes and radium 226 and 228 are present in this waste stream. We ask the EQB to answer the following questions in the Preamble to the final-form rulemaking. Given the nature of the waste MAX processes at both facilities, what is the reason for not including radium as a constituent that must be tested for in the rulemaking? Does the Department of Environmental Protection currently require testing for radium in any of its waste handling and processing regulations? What assurances can the EQB provide the regulated community that this rulemaking will adequately protect the citizens of the Commonwealth from the dangers associated with radium leaking into the environment and water supplies of those living near the facilities?

Third, the rulemaking requires MAX to keep records of all operating conditions and analytical data for a minimum of three years and to make those records available to the DEP at any time. Commentators are concerned that MAX is only required to submit sampling results to the DEP if the analysis shows that the level of any constituent measured equals or exceeds the levels set forth in the rulemaking. They suggest all analytical results should be submitted to the DEP. Would the suggestion to report all testing results assist DEP with the implementation of the rulemaking and provide a greater level of environmental protection and oversight? If the EQB believes this additional reporting requirement would be beneficial, then we ask that they consider including it in the final-form regulation.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-538. Filed for public inspection April 8, 2022, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed at the Commission's web site at www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-544	Environmental Quality Board Control of VOC Emissions from Oil and Natural Gas Sources	3/15/22	5/19/22
57-331	Pennsylvania Public Utility Commission Rulemaking to Comply with the Competitive Classification of Telecommunication Retail Services Under 66 Pa.C.S Section 3016(a); General Review of Regulations 52 Pa. Code Chapters 53, 63 and 64	3/28/22	5/19/22

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-539. Filed for public inspection April 8, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Riverton Operator, LLC

Riverton Operator, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Riverton Rehabilitation and Healthcare Center in Allentown, PA. The initial filing was received on March 29, 2022, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-540. Filed for public inspection April 8, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Insurance Coverages or Risks Eligible for Export by the Acting Insurance Commissioner

Under section 1604(2)(ii) of The Insurance Company Law of 1921 (40 P.S. § 991.1604(2)(ii)), the Acting Insurance Commissioner declares the following insurance coverages to be generally unavailable in the authorized market at the present, and thus exportable, and adopts the following export list. Accordingly, for those insurance coverages which are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

Export List

- Active Assailant Coverage
- Amusements
 - Amusement Parks and their Devices
 - Animal Rides
 - Recreational and Sporting Events
 - Special Short Term Events
 - Theatrical Presentations
- Aviation
 - Fixed Base Operations
- Bridge and Tunnel Contractors (liability only)
- Chemical Spray and/or Drift
- Crane and Rigging Contractors (liability and physical damage only)
- Crop Dusters (aircraft liability and aircraft hull coverage only)
- Day Care Centers, including Sexual Abuse Coverage
- Demolition Contractors Liability
- Disability Insurance—Excess
- Dog Bite Liability (monoline)
- Firework Sales/Manufacturing
- Flood Insurance
- Fuel and Explosive Haulers (excess auto liability and auto physical damage only)
- Guides and Outfitters (liability only)
- Hazardous Waste Haulers (excess auto liability and auto physical damage only)
- Hazardous Waste Storage and Disposal (liability only)
- Homeshare Business Multi-Peril Insurance (on-demand short-term)
- Hunting Clubs
- Kidnapping, Ransom and Extortion Insurance
- Liquor Liability (monoline)
- Medical Malpractice Liability with or without related General Liability Coverages
- Medicinal Cannabis Cultivation, Processing/Harvesting, Manufacturing, Testing, Transportation/Delivery, Retail Distribution and/or Lessors/Property Managers
- Miscellaneous Errors and Omissions or Professional Liability except architects and engineers, medical malpractice, lawyers, personnel agencies, travel agents, real estate brokers and insurance agents and brokers

,Nightclubs
 Nursing Home Liability with or without other Affiliated Elder Care Services
 Paint and Coating Manufacturers—Liability
 Pest Control (Exterminators) Liability
 Pollution Liability and/or Environmental Impairment Coverage
 Products Liability (monoline) for the Manufacturing of:
 Aircraft and Component Parts
 Automotive and Component Parts
 Farm and Industrial Equipment
 Firearms
 Medical Equipment
 Petrochemicals
 Pharmaceuticals
 Products Recall (monoline) for the Manufacturing of:
 Aircraft and Component Parts
 Automotive and Component Parts
 Farm and Industrial Equipment
 Firearms
 Medical Equipment
 Petrochemicals
 Pharmaceuticals
 Railroad, including Consultants, Contractors and Suppliers
 Real-Estate Environmental Impairment Coverage
 Scrap Metal Dealers/Recycling Centers with Off-Site Disassembling (general liability only)
 Security/Detective/Patrol Agencies
 Tattoo Parlors
 Taxicab Liability
 Title Insurance Agents Errors and Omissions
 Vacant Properties (excluding 1—4 family unit residential dwellings and individually owned residential units in larger residential buildings)
 Wire Transfer Fraud Coverage for Title Agents with or without Other Cybersecurity Coverage

This list becomes effective on the date of its publication in the *Pennsylvania Bulletin* and supersedes the list published at 51 Pa.B. 1939 (April 3, 2021), and shall remain in effect until superseded by a subsequent list as published in the *Pennsylvania Bulletin*.

Questions regarding the Export List may be directed to Lori Rumpf, lrumpf@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-541. Filed for public inspection April 8, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Stanford Lyons; Order to Show Cause; Doc. No. SC22-01-023

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) except as modified by order.

A prehearing videoconference initiated by this office is scheduled for April 27, 2022, at 9:30 a.m. A date for a hearing will 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 April 13, 2022. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, will be electronically filed on or before April 25, 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.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-542. Filed for public inspection April 8, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held virtually by means of Zoom. Failure by the appellant to appear at the scheduled video hearing may result in dismissal with prejudice.

The parties and their representatives and witnesses will join the Zoom hearing through the link supplied in the invitation. The Administrative Hearings Office may be contacted at (717) 783-2126, ra-hearings@pa.gov.

Appeal of Patty Spisak and John M. Virola-Baez; Progressive Direct Insurance Company; File No. 22-118-265639; Doc. No. P22-03-001; May 5, 2022, 9:30 a.m.

Following the video hearing and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Acting Commissioner's Order will be sent to those persons participating in the video hearing or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative video hearing and require an auxiliary aid, service or other accommodation

to participate in the video hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Secretary

[Pa.B. Doc. No. 22-543. Filed for public inspection April 8, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Hearing Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of April Neely; State Farm Fire and Casualty Company; File No. 20-115-254341; Doc. No. P21-01-018; April 27, 2022, 10 a.m.

Following the hearing and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Acting Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-544. Filed for public inspection April 8, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

General Rule Transaction

A-2022-3031623. Everstream Solutions, LLC. Application of Everstream Solutions, LLC for approval of a general rule transaction resulting in a change in indirect ownership.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 25, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Everstream Solutions, LLC

Through and By: Catherine Vasudevan, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921, (215) 963-5034, fax (215) 963-5001, Catherine.vasudeval@morganlewis.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-545. Filed for public inspection April 8, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2022-3031656. Columbia Gas of Pennsylvania, Inc. Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to one inactive residential premises in Washington County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 25, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at www.puc.pa.gov or may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Columbia Gas of Pennsylvania, Inc., 121 Champion Way, Suite 100, Canonsburg, PA 15317

Through and By Counsel for: Theodore J. Gallagher, Esquire, 121 Champion Way, Suite 100, Canonsburg, PA 15317, tjgallagher@nisource.com; Amy E. Hirakis, Esquire, 800 North Third Street, Suite 204, Harrisburg, PA 17102, ahirakis@nisource.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-546. Filed for public inspection April 8, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2022-3031657. Columbia Gas of Pennsylvania, Inc. Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to one commercial premises in Fayette County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 25, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at www.puc.pa.gov or may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Columbia Gas of Pennsylvania, Inc., 121 Champion Way, Suite 100, Canonsburg, PA 15317

Through and By Counsel for: Amy E. Hidakis, Esquire, 800 North Third Street, Suite 204, Harrisburg, PA 17102, ahidakis@nisource.com; Theodore J. Gallagher, Esquire, 121 Champion Way, Suite 100, Canonsburg, PA 15317, tjgallagher@nisource.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-547. Filed for public inspection April 8, 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 April 25, 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 April 25, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may

only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2022-3031127. Rejuvenate Concierge, Co. (262 South Easton Road, P.O. Box 333, Glenside, Montgomery County, PA 19038) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Montgomery County to points in Pennsylvania, and return.

A-2022-3031144. Black Creek Hauling, LLC (1275 State Route 209, Millersburg, Dauphin County, PA 17061) 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 bounded by the Susquehanna River, State Route 209 and Interstate 81, to points in Pennsylvania, and return. *Attorney:* Jack Kerwin, Esquire, 4245 State Route 209, Elizabethville, PA 17023.

A-2022-3031436. Med Ryde, LLC (100 North 18th Avenue, Unit 300, Philadelphia, Philadelphia County, PA 19103) to transport, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2022-3031566. Gift of Helps, LLC (2123 North 23rd Street, Philadelphia, Philadelphia County, PA 19121) for the right to begin to transport, as a common carrier, by motor vehicle, members of Gift of Helps, LLC's homecare agency in paratransit service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia to points in Pennsylvania, and return.

A-2022-3031570. Edna's Care, LLC (6107 North 8th Street, Philadelphia, Philadelphia County, PA 19120) for the right to begin to transport, as a common carrier, by motor vehicle, members of Edna's Care, LLC homecare agency in paratransit service, from points in the Counties of Bucks, Delaware and Montgomery, and the City and County of Philadelphia to points in Pennsylvania, and return.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.*

A-2022-3031117. Schmitt's Trucking, LLC, d/b/a American Moving and Transport (1323 Pinyon Street, Treose, Bucks County, PA 19053) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

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 convenience as described under the application.*

A-2022-3031645. Susquehanna Valley Emergency Medical Service (126 Keller Avenue, Lancaster, Lancaster County, PA 17601) for the discontinuance and

cancellation of its right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Lancaster County, to points in Pennsylvania, and return, as more thoroughly described in the original ordering paragraph at A-2010-2191504.

ROSEMARY CHIAVETTA,
Secretary

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