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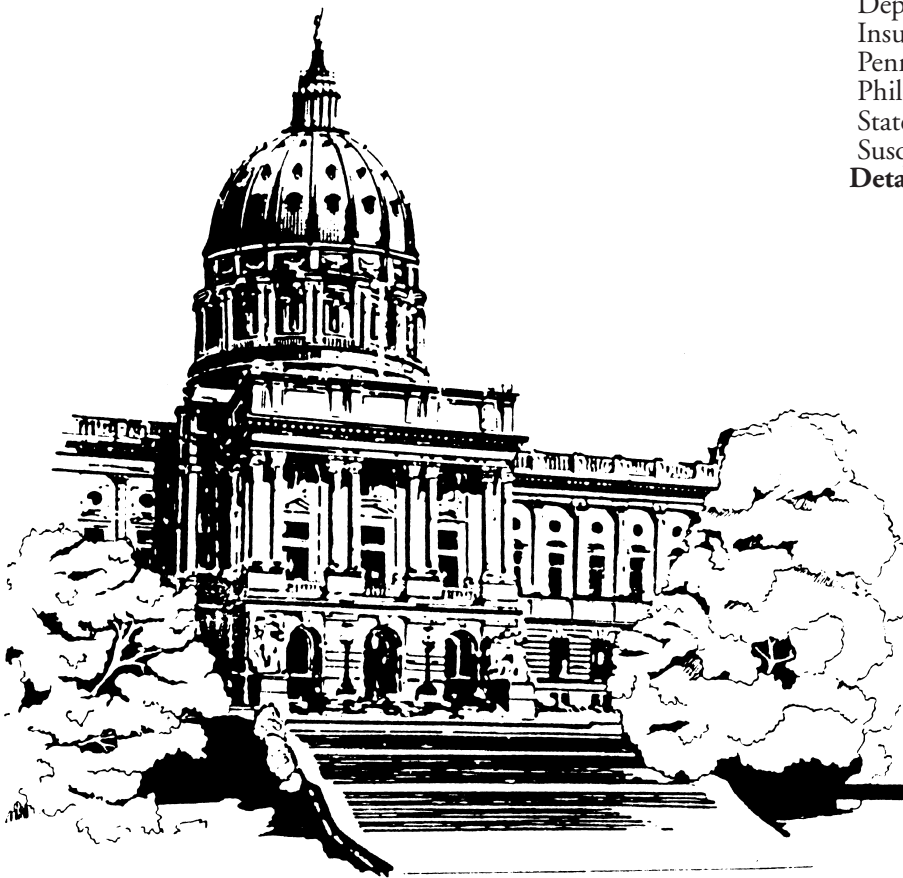
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January—March 2023

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Department of Environmental Protection
Department of Health
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Susquehanna River Basin Commission
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 581, April 2023

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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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 2023.

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THE COURTS

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 1]

Proposed Adoption of Pa.R.Crim.P. 124

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court the adoption of Pa.R.Crim.P. 124 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Joshua M. Yohe, Counsel
Criminal Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: (717) 231-9521
criminalrules@pacourts.us

All communications in reference to the proposal should be received by Monday, May 1, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

STEFANIE SALAVANTIS,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

PART B. Counsel

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

Rule 124. Waiver of Fees and Costs.

A defendant may seek or obtain a waiver of any fees or costs pursuant to Pa.R.J.A. 1990 except for fees, costs, or other financial assessments imposed as a result of conviction.

Comment:

Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the

payment of filing fees. The eligibility criteria at Pa.R.J.A. 1990(b) should inform the defendant whether to proceed by application or *praecipe*.

For an expungement, an application for a waiver or a *praecipe* of counsel should be filed at the same docket containing the records the defendant seeks to expunge.

SUPREME COURT OF PENNSYLVANIA CRIMINAL PROCEDURAL RULES COMMITTEE

Publication Report

Proposed Pa.R.Crim.P. 124

The Committee previously published proposed amendments to Pa.R.Crim.P. 460, 490, 490.1, 790, and 790.1. Those proposed amendments would have extended the application of proposed Pa.R.J.A. 1990 to permit the waiver of fees and costs for a notice of appeal from a magisterial district court and for expungement and limited access proceedings. *See* 52 Pa.B. 2561 (April 30, 2022). Comments indicated there are myriad filing fees imposed in criminal proceedings throughout Pennsylvania, including fees to file a motion, a PCRA petition, a *habeas* petition, for *certiorari*, and to obtain copies of criminal records. Instead of the previously proposed amendments, the adoption of a general rule that would permit the application of Pa.R.J.A. 1990 to obtain a waiver of fees and costs—with exceptions for costs, fees, and other financial assessments imposed as a result of a conviction—was suggested.

In response to this suggestion, the Committee is considering an alternative proposal for the adoption of Pa.R.Crim.P. 124 (Waiver of Fees and Costs). The Committee believes the proffered language, “imposed as a result of conviction,” would exclude fines, fees, costs, and restitution imposed at sentencing or as a consequence of being convicted. However, the Committee questioned how the rule would apply to financial obligations as a condition of an accelerated rehabilitative disposition (ARD) program or imposed by a problem-solving court, *e.g.*, veterans treatment court, or other program.

In *Commonwealth v. Melnyk*, 548 A.2d 266 (Pa. Super. 1988), the Superior Court opined that the conditions of admittance into ARD must take into consideration a defendant's ability to meet any financial obligations resulting from those conditions. A defendant's indigency cannot be used to deny entry into an ARD program, and alternative conditions must be considered where the defendant is unable to meet those financial conditions despite “sufficient *bona fide* efforts to do so.” *Id.* at 272; *see also* Pa.R.Crim.P. 316, cmt. at ¶ 2. Therefore, it appears Pa.R.Crim.P. 124, as herein proposed, would apply Pa.R.J.A. 1990 to the fees and costs of ARD programs. Please note that restitution is neither a fee nor a cost so it would not be subject to Pa.R.Crim.P. 124.

The Committee specifically invites comment on this aspect of the proposal. If admission into an ARD program and the conditions of the program were to be specifically excluded from Pa.R.Crim.P. 124, then suggestions for a uniform alternative to Pa.R.J.A. 1990, consonant with *Melnyk*, are welcome.

Regarding specialty courts, *see* 42 Pa.C.S. § 916, such courts have been described as deferred proceedings after a plea of guilty. *See Commonwealth v. McCabe*, 265 A.3d 1279 1287-88 (Pa. 2021). “A plea of guilty (when accepted and entered by the Court) is the equivalent of a conviction.”

tion and a verdict of guilty by a jury.” *Com. ex rel. Hough v. Maroney*, 229 A.2d 913, 914-15 (Pa. 1967). Insofar as admission into a specialty court is conditioned on a plea, the post-plea financial obligations imposed by the specialty court are “a result of conviction.” Accordingly, those financial obligations would not be subject to Pa.R.J.A. 1990 *vis-à-vis* Pa.R.Crim.P. 124.

The Act of November 3, 2022, P.L. 163 substantially amended 42 Pa.C.S. § 9730 (payment of court costs, restitution, and fines). The Committee contemplates separate rulemaking to implement that Act.

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

[Pa.B. Doc. No. 23-424. Filed for public inspection March 31, 2023, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 11, 12, 13, 14, 15 AND 16]

Order Amending Rules 1120, 1149, 1154, 1242, 1330, 1409, 1512, 1514, 1515, 1608, 1609, 1610, 1611, and 1631 of the Pennsylvania Rules of Juvenile Court Procedure; No. 943 Supreme Court Rules Docket

Order

Per Curiam

And Now, this 22nd day of March, 2023, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rules of Juvenile Court Procedure 1120, 1149, 1154, 1242, 1330, 1409, 1512, 1514, 1515, 1608, 1609, 1610, 1611, and 1631 are amended in the attached form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective on October 1, 2023.

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

Deletions from the rule are shown in bold and brackets.

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

PART A. BUSINESS OF COURTS

Rule 1120. Definitions.

* * * * *

Comment:

* * * * *

The definition of “family finding” is derived from 67 Pa.C.S. § [3102] 7502.

* * * * *

See also 67 Pa.C.S. §§ [3101] 7501 *et seq.* and 42 U.S.C. § 675 (Fostering Connections) to comply with state and federal regulations.

* * * * *

PART B(1). EDUCATION AND HEALTH OF CHILD

Rule 1149. Family Finding.

A. Court’s inquiry and determination.

1) The court shall inquire as to the efforts made by the county agency to comply with the family finding requirements pursuant to 67 Pa.C.S. §§ [3101] 7501 *et seq.*

* * * * *

Comment:

* * * * *

See 67 Pa.C.S. § [3101] 7501 for legislative intent regarding family finding and promotion of kinship care.

Family finding is required for every child when a child is accepted for services by the county agency. See 67 Pa.C.S. § [3103] 7503. It is best practice to find as many kin as possible for each child. These kin may help with care or support for the child. The county agency should ask the guardian, the child, and siblings about relatives or other adults in the child’s life, including key supporters of the child or guardians.

* * * * *

PART B(2). COUNSEL

Rule 1154. Duties of Guardian *Ad Litem*.

* * * * *

Comment:

* * * * *

Pursuant to [**paragraph**] **subdivision** (7), the guardian *ad litem* is to make specific recommendations to the court regarding the appropriateness of the child’s placement, giving consideration to the proximity and appropriateness of the child’s school. See 42 Pa.C.S. § 6311(b)(7) and 42 U.S.C. § 675(1)(G). Inquiries into the child’s education should include the right to: 1) educational stability, including the right to remain in the same school regardless of a change in placement when in the child’s best interest and the right to immediate enrollment when a school change is in the child’s best interest, 42 U.S.C. §§ 675(1)(G) and 11431 *et seq.*; 2) an educational decision maker pursuant to Rule 1147, 42 Pa.C.S. § 6301, 20 U.S.C. § 1439(a)(5), and 34 C.F.R. § 300.519; 3) an appropriate education, including any necessary special education, early intervention, or remedial services, 24 P.S. §§ 13-1371 and 13-1372, 55 Pa. Code § 3130.87, and 20 U.S.C. § 1400 *et seq.*; 4) the educational services necessary to support the child’s transition to [**independent living**] **successful adulthood**, 42 Pa.C.S. § 6351 if a child is [**sixteen**] 14 or older; and 5) a transition plan that addresses the child’s educational needs, 42 U.S.C. § 675(5)(H), if the child will age out of care in the next [**ninety**] 90 days.

* * * * *

[**Official Note: Rule 1154 adopted August 21, 2006, effective February 1, 2007. Amended April 29, 2011, effective July 1, 2011. Amended April 6, 2017, effective September 1, 2017.**

Committee Explanatory Reports:

Final Report explaining the amendments to Rule 1154 published with the Court’s Order at 41 Pa.B. 2413 (May 14, 2011).

Final Report explaining the amendments to Rule 1154 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).]

CHAPTER 12. COMMENCEMENT OF PROCEEDINGS, EMERGENCY CUSTODY, AND PRE-ADJUDICATORY PLACEMENT

PART C. SHELTER CARE

Rule 1242. Shelter Care Hearing.

* * * * *

Comment:

* * * * *

The court's order should address the child's educational stability, including the right to an educational decision maker. The order should address the child's right to: 1) educational stability, including the right to: a) remain in the same school regardless of a change in placement when it is in the child's best interest; b) immediate enrollment when a school change is in the child's best interest; and c) have school proximity considered in all placement changes, 42 U.S.C. §§ 675(1)(G) and 11431 et seq.; 2) an educational decision maker pursuant to Rule 1147, 42 Pa.C.S. § 6301, 20 U.S.C. § 1439(a)(5), and 34 C.F.R. § 300.519; 3) an appropriate education, including any necessary special education, early intervention, or remedial services pursuant to 24 P.S. §§ 13-1371 and 13-1372, 55 Pa. Code § 3130.87, and 20 U.S.C. §§ 1400 et seq.; 4) the educational services necessary to support the child's transition to [independent living] successful adulthood pursuant to 42 Pa.C.S. § 6351 if the child is [sixteen] 14 or older; and 5) a transition plan that addresses the child's educational needs pursuant to 42 U.S.C. § 675(5)(H) if the child will age out of care within [ninety] 90 days.

* * * * *

[Official Note: Rule 1242 adopted August 21, 2006, effective February 1, 2007. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended July 13, 2015, effective October 1, 2015. Amended May 16, 2017, effective July 1, 2017.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1242 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1242 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011).

Final Report explaining the amendments to Rule 1242 published with the Court's Order at 41 Pa.B. 2413 (May 14, 2011).

Final Report explaining the amendments to Rule 1242 published with the Court's Order at 45 Pa.B. 3987 (July 25, 2015).

Final Report explaining the amendments to Rule 1242 published with the Court's Order at 47 Pa.B. 3078 (June 3, 2017).]

CHAPTER 13. PRE-ADJUDICATORY PROCEDURES

PART C. PETITION

Rule 1330. Petition: Filing, Contents, Function, Aggravated Circumstances.

* * * * *

Comment:

* * * * *

If a petition is filed after the county agency has discontinued family finding for non-court cases, the county agency is to aver reasons for the discontinuance in the petition. See 67 Pa.C.S. § [3104(a)] 7503.

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CHAPTER 14. ADJUDICATORY HEARING

Rule 1409. Adjudication of Dependency and Court Order.

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Comment:

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If the requirements of Rule 1149 regarding family finding have not been met, the court is to make necessary orders to ensure compliance by enforcing this legislative mandate. See 67 Pa.C.S. §§ [3101] 7501 et seq. See also [Rules] Pa.R.J.C.P. 1242(E)(3) and 1609(D), and Comments to [Rules] Pa.R.J.C.P. 1242, 1408, 1512, 1514, 1515, and 1608—1611.

CHAPTER 15. DISPOSITIONAL HEARING

PART B. DISPOSITIONAL HEARING AND AIDS

Rule 1512. Dispositional Hearing.

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Comment:

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Pursuant to [paragraph] subdivision (D)(1)(h), the court is to determine whether the county agency has reasonably satisfied the requirements of Rule 1149 regarding family finding. If the county agency has failed to meet the diligent family finding efforts requirements of Rule 1149, the court is to utilize its powers to enforce this legislative mandate. See 67 Pa.C.S. §§ [3101] 7501 et seq. See also [Rules] Pa.R.J.C.P. 1210(D)(8), 1242(E)(3), 1409(C), 1609(D), and 1611(C), and Comments to [Rules] Pa.R.J.C.P. 1242, 1408, 1409, 1514, 1515, and 1608—1611.

Pursuant to [paragraph] subdivision (D)(1)(i), the court is to address the child's educational stability, including the right to an educational decision maker, 42 Pa.C.S. § 6301, 20 U.S.C. § 1439(a)(5), and 34 C.F.R. § 300.519. The court's findings should address the child's right to: 1) educational stability, including the right to: a) remain in the same school regardless of a change in placement when it is in the child's best interest; b) immediate enrollment when a school change is in the child's best interest; and c) have school proximity considered in all placement changes, 42 U.S.C. §§ 675(1)(G) and 11431 et seq.; 2) an educational decision maker pursuant to Rule 1147, 42 Pa.C.S. § 6301, 20 U.S.C. § 1439(a)(5), and 34 C.F.R. § 300.519; 3) an appropriate education, including any necessary special education, early intervention, or remedial services pursuant to 24 P.S. §§ 13-1371 and 13-1372, 55 Pa. Code § 3130.87, and 20 U.S.C. §§ 1400 et seq.; 4) the educational services necessary to support the child's transition to [independent living] successful adulthood pursuant to 42 Pa.C.S. § 6351 if the child is [sixteen] 14 or older; and 5) a transition plan that addresses the child's educational needs pursuant to 42 U.S.C. § 675(5)(H) if the child will age out of care within [ninety] 90 days.

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Rule 1514. Dispositional Finding Before Removal from Home.

[A.] (a) *Required [findings] Findings.* Prior to entering a dispositional order removing a child from the home, the court shall state on the record in open court the following specific findings:

1) Continuation of the child in the home would be contrary to the welfare, safety, or health of the child;

2) The child's placement is the least restrictive placement that meets the needs of the child, supported by reasons why there is no less restrictive alternative available;

3) If the child has a sibling who is subject to removal from the home, whether reasonable efforts were made prior to the placement of the child to place the siblings together or whether such joint placement is contrary to the safety or well-being of the child or sibling;

4) The county agency has reasonably satisfied the requirements of Rule 1149 regarding family finding; [and]

5) One of the following:

[a] (i) Reasonable efforts were made prior to the placement of the child to prevent or eliminate the need for removal of the child from the home, if the child has remained in the home pending such disposition; or

[b] (ii) If preventive services were not offered due to the necessity for emergency placement, whether such lack of services was reasonable under the circumstances; or

[c] (iii) If the court previously determined that reasonable efforts were not made to prevent the initial removal of the child from the home, whether reasonable efforts are under way to make it possible for the child to return home[.]; and

6) The county agency has provided a permanency plan and services pursuant to 67 Pa.C.S. § 7504.

[B.] (b) *Aggravated [circumstances] Circumstances.* If the court has previously found aggravated circumstances to exist and that reasonable efforts to remove the child from the home or to preserve and reunify the family are not required, a finding [under paragraphs (A)(5)(a) through (c) is not necessary] pursuant to subdivision (a)(5)(i)—(a)(5)(iii) is unnecessary.

Comment:

See 42 Pa.C.S. § 6351(b).

Pursuant to [paragraph (A)(3)] subdivision (a)(3), the court is to utilize reasonable efforts in placing siblings together unless it is contrary to the safety or well-being of a child or sibling. See 42 U.S.C. § 675 (Fostering Connections).

Pursuant to [paragraph (A)(4)] subdivision (a)(4), the court is to determine whether the county agency has reasonably satisfied the requirements of Rule 1149 regarding family finding. If the county agency has failed to meet the diligent family finding efforts requirements of Rule 1149, the court is to utilize its powers to enforce this legislative mandate. See 67 Pa.C.S. §§ [3101] 7501 et seq. See also [Rules] Pa.R.J.C.P. 1210(D)(8), 1242(E)(3), 1409(C), 1609(D), and 1611(C), and Comments to [Rules] Pa.R.J.C.P. 1242, 1408, 1409, 1512, 1515, and 1608—1611.

Pursuant to subdivision (a)(6), specific requirements for a permanency plan and services exist when the court orders the temporary transfer of a child's legal custody pursuant to 42 Pa.C.S. § 6351(a)(2). See 67 Pa.C.S. § 7504.

Rule 1515. Dispositional Order.

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Comment:
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If the requirements of Rule 1149 regarding family finding have not been met, the court is to make necessary orders to ensure compliance by enforcing this legislative mandate. See 67 Pa.C.S. §§ [3101] 7501 et seq. See also [Rules] Pa.R.J.C.P. 1210(D)(8), 1242(E)(3), 1409(C), 1609(D), and 1611(C), and Comments to [Rules] Pa.R.J.C.P. 1242, 1408, 1409, 1512, 1514, and 1608—1611. 45 C.R.F. § 1356.21 provides a specific foster care provider may not be placed in a court order to be in compliance with and receive funding through the Federal Financial Participation.

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CHAPTER 16. POST-DISPOSITIONAL PROCEDURES

PART B(2). PERMANENCY HEARING

(Editor's Note: The "Official Note" and "Committee Explanatory Reports" are not codified in Pa.R.J.C.P. 1608 as printed in 237 Pa. Code.)

Rule 1608. Permanency Hearing.

[A.] (a) *Purpose and [timing of hearing] Timing of Hearing.* For every case, the court shall conduct a permanency hearing at least every six months for purposes of determining or reviewing:

- 1) the permanency plan of the child;
- 2) the date by which the goal of permanency for the child might be achieved; and
- 3) whether the placement continues to be best suited to the safety, protection, and physical, mental, and moral welfare of the child.

[B.] (b) *Recording.* The permanency hearing shall be recorded.

[C.] (c) *Evidence.*

1) Any evidence helpful in determining the appropriate course of action, including evidence that was not admissible at the adjudicatory hearing, shall be presented to the court.

2) If a report was submitted pursuant to Rule 1604, the court shall review and consider the report as it would consider all other evidence.

[D.] (d) *Court's Findings.*

1) *Findings at all Six-Month Hearings.* At each permanency hearing, the court shall enter its findings and conclusions of law into the record and enter an order pursuant to Rule 1609. On the record in open court, the court shall state:

[a] (i) the appropriateness of the placement;

[b] (ii) the appropriateness, feasibility, and extent of compliance with the permanency plan developed for the child;

[c] (iii) the appropriateness and feasibility of the current permanency goal for the child provided that, at no time may a goal be changed from reunification unless notice has been provided in accordance with Rule 1601(B);

[d] (iv) the likely date by which the permanency goal for the child might be achieved;

[e] (v) whether reasonable efforts were made to finalize the permanency plan in effect;

[f] (vi) whether the county agency has made services available to the guardian, and if not, why those services have not been made available;

[g] (vii) the continued appropriateness of the permanency plan and the concurrent plan;

[h] (viii) whether the county agency has satisfied the requirements of Rule 1149 regarding family finding, and if not, the findings and conclusions of the court on why the requirements have not been met by the county agency;

[i] (ix) whether the child is safe;

[j] (x) if the child has been placed outside the Commonwealth, whether the placement continues to be best suited to the safety, protection, and physical, mental, and moral welfare of the child;

[k] (xi) the services needed to assist a child who is [**fourteen**] 14 years of age or older to make the transition to a successful adulthood, including:

(A) whether services are being provided as required under 67 Pa.C.S. § 7505 (relating to transition plan and services);

[i] (B) the specific independent living services or instructions that are currently being provided by the county agency or private provider;

[ii] (C) the areas of need in independent living instruction that have been identified by the independent living assessment completed pursuant to the Chafee Act, 42 U.S.C. §§ 671 *et seq.*;

[iii] (D) the independent living services that the child will receive prior to the next permanency review hearing;

[iv] (E) whether the child is in the least restrictive, most family-like setting that will enable him to develop independent living skills;

[v] (F) the efforts that have been made to develop and maintain connections with supportive adults regardless of placement type;

[vi] (G) whether the child is making adequate educational progress to graduate from high school or whether the child is enrolled in another specified educational program that will assist the child in achieving self-sufficiency;

[vii] (H) the job-readiness services that have been provided to the child and the employment/career goals that have been established;

[viii] (I) whether the child has physical health or behavioral health needs that will require continued services into adulthood; and

[ix] (J) the steps being taken to ensure that the youth will have stable housing or living arrangements when discharged from care;

[I] (xii) any educational, health care, and disability needs of the child and the plan to ensure those needs are met;

[m] (xiii) if a sibling of a child has been removed from the home and is in a different setting than the child, whether reasonable efforts have been made to place the child and sibling of the child together or whether such joint placement is contrary to the safety or well-being of the child or sibling;

[n] (xiv) if the child has a sibling, whether visitation of the child with that sibling is occurring no less than twice a month, unless a finding is made that visitation is contrary to the safety or well-being of the child or sibling;

[o] (xv) whether sufficient steps have been taken by the county agency to ensure the caregiver is exercising the reasonable and prudent parent standard;

[p] (xvi) whether sufficient steps have been taken by the county agency to ensure the child has been provided regular, ongoing opportunities to engage in age-appropriate or developmentally-appropriate activities, including:

[i] (A) consulting the child in an age-appropriate or developmentally-appropriate manner about the opportunities to participate in activities; and

[ii] (B) identifying and addressing any barriers to participation; and

[q] (xvii) whether the visitation schedule for the child with the child's guardian is adequate, unless a finding is made that visitation is contrary to the safety or well-being of the child.

2) *Another Planned Permanent Living Arrangement (APPLA) for Children [**Sixteen**] 18 Years of Age or Older.* APPLA shall not be utilized for any child under the age of [**sixteen**] 18. At each permanency hearing for a child who is [**sixteen**] 18 years or older and has a permanency goal of APPLA, the following additional considerations, inquiry, and findings shall be made by the court:

[a] (i) *Court's APPLA Considerations.* Before making its findings pursuant to [**paragraph (D)(2)(c)**] **subdivision (d)(2)(iii)**, the court shall consider evidence, which is obtained as of the date of the hearing, and entered into the record concerning:

[i] (A) the intensive, ongoing, and unsuccessful efforts made to:

[A] (I) return the child home; or

[B] (II) secure a placement for the child with a fit and willing relative, a legal guardian, or an adoptive parent;

[ii] (B) the specific services, including the use of search technology and social media to find biological family members and kin, as well as permanency services that have been provided to the child that serve as the intensive ongoing, and unsuccessful efforts to achieve reunification, adoption, or placement with a guardian or a fit and willing relative;

[iii] (C) the full names of at least [one] two identified supportive adults with whom the child has significant connections;

[iv] (D) how each identified supportive adult has formalized the connection with the child;

[v] (E) the specific services that will be provided by the agency to support and maintain the connection between the child and identified supportive adult(s); and

[vi] (F) the specific planned, permanent placement or living arrangement for the child that will provide the child with stability.

[b] (ii) *Court's Inquiry of Child's Desired Permanency Outcome*. Before making its findings pursuant to [paragraph (D)(2)(c)] subdivision (d)(2)(iii), the court shall ask the child about the child's desired permanency outcome.

[c] (iii) *Court's APPLA Findings*. After making all the findings of [paragraph (D)(1)] subdivision (d)(1) and before assigning the permanency goal of APPLA, at each subsequent permanency hearing, based upon the considerations and inquiry provided in [paragraph (D)(2)(a) & (b)] subdivision (d)(2)(i)-(ii) and any other evidence deemed appropriate by the court, the court shall state in open court on the record the following:

[i] (A) reasons why APPLA continues to be the best permanency plan for the child; and

[ii] (B) compelling reasons why it continues not to be in the best interests of the child to:

[A] (I) return home;

[B] (II) be placed for adoption;

[C] (III) be placed with a legal guardian;

[D] (IV) be placed with a fit and willing relative; and

[iii] (C) the full names of at least [one] two identified supportive adults with whom the child has significant connections[.]; and

(D) the identity of the specific APPLA approved by the court.

(3) *Additional [findings for fifteen of last twenty-two months] Findings for 15 of Last 22 Months*. If the child has been in placement for [fifteen] 15 of the last [twenty-two] 22 months, the court may direct the county agency to file a petition [to terminate] for involuntary termination of parental rights.

[E.] (e) *Advanced Communication Technology*. Upon good cause shown, a court may utilize advanced communication technology pursuant to Rule 1129.

[F.] (f) *Family Service Plan or Permanency Plan*.

1) The county agency shall review the family service plan or permanency plan at least every six months, including all family finding efforts pursuant to Rule 1149.

2) The family service plan or permanency plan shall identify which relatives and kin were included in its development and the method of that inclusion.

3) If the plan is modified, the county agency shall follow the filing and service requirements pursuant to Rule 1345.

4) The parties and when requested, the court, shall be provided with the modified plan at least [fifteen] 15 days prior to the permanency hearing.

Comment:

See 42 Pa.C.S. §§ 6341, 6351.

Permanency planning is a concept whereby children are not relegated to the limbo of spending their childhood in foster homes, but instead, dedicated effort is made by the court and the county agency to rehabilitate and reunite the family in a reasonable time, and failing in this, to free the child for adoption. *In re M.B.*, 674 A.2d 702, 704 (Pa. Super. 1996) (quoting *In re Quick*, 559 A.2d 42 (Pa. 1989)).

To the extent practicable, the judge or juvenile court hearing officer who presided over the adjudicatory and original dispositional hearing for a child should preside over the permanency hearing for the same child.

Pursuant to [paragraph (A)] subdivision (a), courts are to conduct a permanency hearing every six months. Courts are strongly encouraged to conduct more frequent permanency hearings, such as every three months, when possible.

The court may schedule a three-month hearing or conference. At the three-month hearing, the court should ensure that: 1) services ordered at the dispositional hearing pursuant to Rule 1512 are put into place by the county agency; 2) the guardian who is the subject of the petition is given access to the services ordered; 3) the guardian is cooperating with the court-ordered services; and 4) a concurrent plan is developed if the primary plan may not be achieved.

A three-month hearing or conference is considered best practice for dependency cases and is highly recommended. The court should not wait until six months has elapsed to determine if the case is progressing. Time to achieve permanency is critical in dependency cases. In order to seek reimbursement under Title IV-E of the Social Security Act, 42 U.S.C. §§ 601 *et seq.*, a full permanency hearing is to be conducted every six months, including required findings and conclusions of law on the record pursuant to [paragraph (D)] subdivision (d).

In addition to the permanency hearing contemplated by this rule, courts may also conduct additional and/or more frequent intermittent review hearings or status conferences that address specific issues based on the circumstances of the case and assist the court in ensuring timely permanency.

Every child should have a concurrent plan, which is a secondary plan to be pursued if the primary permanency plan for the child cannot be achieved. See [**Comment to Rule 1512**] Pa.R.J.C.P. 1512, Comment. For example, the primary plan may be reunification with the guardian. If the guardian does not substantially comply with the requirements of the court-ordered services, subsidized legal guardianship may be utilized as the concurrent plan. Because of time requirements, the concurrent plan is to be in place so that permanency may be achieved in a timely manner.

[**Paragraph (D)(1)(c)] Subdivision (d)(1)(iii)** is intended to provide adequate notice and the opportunity to be heard when a goal is being changed from reunification. If the court intends to change the child's goal from reunification without a prior notice provided by a party

pursuant to Rule 1601(B), then the court shall direct the county agency to provide such notice in accordance with Rule 1601(B).

Pursuant to [**paragraph (D)(1)(h)**] **subdivision (d)(1)(viii)**, the court is to determine whether the county agency has reasonably satisfied the requirements of Rule 1149 regarding family finding, including the location and engagement of relatives and kin at least every six months, prior to each permanency hearing. If the county agency has failed to meet the diligent family finding efforts requirements of Rule 1149, the court is to utilize its powers to enforce this legislative mandate. See 67 Pa.C.S. §§ [**1301**] **7501** *et seq.* See also [**Rules**] **Pa.R.J.C.P.** 1210(D)(8), 1242(E)(3), 1409(C), 1609(D), and 1611(C), and Comments to [**Rules**] **Pa.R.J.C.P.** 1242, 1408, 1409, 1512, 1514, 1515, 1609, and 1611.

When making its determination for reasonable efforts made by the county agency, the court is to consider family finding. See also [**Rules**] **Pa.R.J.C.P.** 1240(B)(6), [**1242(C)(2) & (3)(b) & (c)**] **1242(C)(2), (C)(3)(b)-(c)**, and 1330(B)(6), and Comments to [**Rules**] **Pa.R.J.C.P.** 1242, 1330, 1409, 1515, 1609, and 1611 for reasonable efforts determinations.

See 42 U.S.C. § 675(5)(A)—(I) and 67 Pa.C.S. § 7505 for development of a transition plan pursuant to [**paragraph (D)(1)(k)**] **subdivision (d)(1)(xi)**.

Pursuant to [**paragraph (D)(1)(o)**] **subdivision (d)(1)(xv)**, the county agency is to testify and enter evidence into the record on how it took sufficient steps to ensure the caregiver is exercising the reasonable and prudent parent standard. For the definition of “caregiver” and the “reasonable and prudent parent standard,” see Rule 1120. Pursuant to [**paragraph (D)(1)(p)**] **subdivision (d)(1)(xvi)**, when documenting its steps taken, the county agency is to include how it consulted with the child in an age-appropriate or developmentally-appropriate manner about the opportunities of the child to participate in activities. For the definition of “age-appropriate or developmentally-appropriate,” see Rule 1120. These additions have been made to help dependent children have a sense of normalcy in their lives. These children should be able to participate in extracurricular, enrichment, cultural, and social activities without having to consult caseworkers and ask the court’s permission many days prior to the event. See also Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183), 42 U.S.C. §§ 675 and 675a (2014).

Pursuant to [**paragraph (D)(2)**] **subdivision (d)(2)**, there are additional considerations, inquiries, and findings when the court conducts a permanency hearing for a child, who is [**sixteen**] **18** years of age or older and has a permanency plan of APPLA. APPLA should only be utilized as a permanency plan when all other alternatives have been exhausted. Even after exhaustive efforts have been made, the county agency should identify at least [**one**] **two** supportive adults to be involved in the life of the child. Diligent efforts to search for relatives, guardians, adoptive parents, or kin are to be utilized. [**See**] **See** Rule 1149 on family finding. Independent living services should also be addressed. Under [**paragraph (D)(2)(a)(i)(B)**] **subdivision (d)(2)(i)(A)(II)**, a fit and willing relative may include adult siblings.

Pursuant to [**paragraph (D)(2)(b)**] **subdivision (d)(2)(ii)**, the court is to engage the child in conversation

to ascertain the child’s desired permanency outcome. The conversation is to be between the child and the court, not the guardian *ad litem* answering for the child.

After all the requirements of [**paragraph (D)(1) and (D)(2)(a) and (b)**] **subdivision (d)(1) and (d)(2)(i)-(ii)** have been made, the court is to state in open court on the record the specific reasons why APPLA continues to be the best permanency plan for the child, the compelling reasons why it continues not to be in the best interests of the child to return home or be placed for adoption, with a legal guardian, or with a fit and willing relative, and the full names of at least [**one**] **two** identified supportive adults with whom the child has significant connections. See [**paragraph (D)(2)(c)**] **subdivision (d)(2)(iii)**. The standards of this rule make choosing the plan of APPLA difficult to ensure that it is the last alternative available for the child. Additionally, this rule requires the court to state its finding in open court on the record. If the court takes a case under advisement, it is to continue the hearing until it is ready to make these findings. The time requirements of the Rules are to be followed when taking a case under advisement.

[Pursuant to paragraph (D)(3), a “petition to terminate parental rights” is a term of art used pursuant to 23 Pa.C.S. § 2511 and Pa.O.C. Rule 15.4 to describe the motion terminating parental rights. This does not refer to the “petition” as defined in Pa.R.J.C.P. 1120.] **Concerning subdivision (d)(3), a petition for involuntary termination of parental rights is authorized by 23 Pa.C.S. §§ 2511–2514 and proceeds in accordance with Chapter 15 of the Pennsylvania Rules of Orphans’ Court Procedure.**

The court is to move expeditiously towards permanency. A goal change motion may be filed at any time.

A President Judge may allow Common Pleas Judges to “wear multiple hats” during a proceeding by conducting a combined hearing on dependency and Orphans’ Court matters. See 42 Pa.C.S. § 6351(i); see also *In re Adoption of S.E.G.*, 901 A.2d 1017 (Pa. 2006), where involuntary termination occurred prior to a goal change by the county agency.

For family service plan requirements, see 55 Pa. Code §§ 3130.61 and 3130.63.

[**See**] **See** Rule 1136 regarding *ex parte* communications.

[**See**] **See** Rule 1610 for permanency hearing for children over the age of eighteen.

[**Official Note: Rule 1608 adopted August 21, 2006, effective February 1, 2007. Amended December 18, 2009, effective immediately. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended October 21, 2013, effective December 1, 2013. Amended July 13, 2015, effective October 1, 2015. Amended December 9, 2015, effective January 1, 2016. Amended June 14, 2016, effective October 1, 2016.**]

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1608 published with the Court’s Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1608 published with the Court’s Order at 40 Pa.B. 21 (January 2, 2010).

Final Report explaining the amendments to Rule 1608 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011).

Final Report explaining the amendments to Rule 1608 published with the Court's Order at 41 Pa.B. 2430 (May 14, 2011).

Final Report explaining the amendments to Rule 1608 published with the Court's Order at 43 Pa.B. 6658 (November 9, 2013).

Final Report explaining the amendments to Rule 1608 published with the Court's Order at 45 Pa.B. 3987 (July 25, 2015).

Final Report explaining the amendments to Rule 1608 published with the Court's Order at 45 Pa.B. 7289 (December 26, 2015).

Final Report explaining the amendments to Rule 1608 published with the Court's Order at Pa.B. - (-).]

Rule 1609. Permanency Hearing Orders.

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Comment:
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If the requirements of Rule 1149 regarding family finding have not been met, the court is to make necessary orders to ensure compliance by enforcing this legislative mandate. See 67 Pa.C.S. §§ [3101] 7501 et seq. See also [Rules] Pa.R.J.C.P. 1210(D)(8), 1242(E)(3), and 1409(C), and Comments to [Rules] Pa.R.J.C.P. 1242, 1408, 1409, 1512, 1514, 1515, 1608, 1610, and 1611.

Pursuant to [paragraph] subdivision (E), the court's order is to address the child's educational stability, including the right to an educational decision maker. The order should address the child's right to: 1) educational stability, including the right to: a) remain in the same school regardless of a change in placement when it is in the child's best interest; b) immediate enrollment when a school change is in the child's best interest; and c) have school proximity considered in all placement changes, 42 U.S.C. §§ 675(1)(G) and 11431 et seq.; 2) an educational decision maker pursuant to Rule 1147, 42 Pa.C.S. § 6301, 20 U.S.C. § 1439(a)(5), and 34 C.F.R. § 300.519; 3) an appropriate education, including any necessary special education, early intervention, or remedial services pursuant to 24 P.S. §§ 13-1371 and 13-1372, 55 Pa. Code § 3130.87, and 20 U.S.C. §§ 1400 et seq.; 4) the educational services necessary to support the child's transition to [independent living] successful adulthood pursuant to 42 Pa.C.S. § 6351 if the child is [sixteen] 14 or older; and 5) a transition plan that addresses the child's educational needs pursuant to 42 U.S.C. § 675(5)(H) if the child will age out of care within [ninety] 90 days.

Rule 1610. Permanency Hearing for Children over Eighteen.

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Comment:
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Pursuant to [paragraph] subdivision (D), the court is to determine whether the county agency has reasonably satisfied the requirements of Rule 1149 regarding family finding, including the location and engagement of relatives and kin at least every six months, prior to each permanency hearing. If the county agency has failed to

meet the diligent family finding efforts requirements of Rule 1149, the court is to utilize its powers to enforce this legislative mandate. See 67 Pa.C.S. §§ [3101] 7501 et seq. See also [Rules] Pa.R.J.C.P. 1210(D)(8), 1242(E)(3), 1409(C), 1609(D), and 1611(C), and Comments to [Rules] Pa.R.J.C.P. 1242, 1408, 1409, 1512, 1514, 1515, 1608, 1609, and 1611.

Rule 1611. Permanency Hearing Orders for Children over Eighteen.

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Comment:
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If the requirements of Rule 1149 regarding family finding have not been met, the court is to make necessary orders to ensure compliance by enforcing this legislative mandate. See 67 Pa.C.S. §§ [3101] 7501 et seq. See also [Rules] Pa.R.J.C.P. 1210(D)(8), 1242(E)(3), and 1409(C), and Comments to [Rules] Pa.R.J.C.P. 1242, 1408, 1409, 1512, 1514, 1515, 1608, 1609, and 1610.

PART D. CESSATION OR RESUMPTION OF COURT SUPERVISION OR JURISDICTION

Rule 1631. Termination of Court Supervision.

[A.] (a) Concluding Supervision. Any party, or the court on its own motion, may move for the termination of supervision when court-ordered services from the county agency are no longer needed and:

- 1) the child has remained with the guardian and the circumstances which necessitated the dependency adjudication have been alleviated;
2) the child has been reunified with the guardian and the circumstances which necessitated the dependency adjudication and placement have been alleviated;
3) the child is under 18 years of age and has been placed with a ready, willing, and able parent who was not previously identified by the county agency;
4) the child has been adopted and services from the county agency are no longer needed;
5) the child has been placed in the custody of a permanent legal custodian and services from the county agency are no longer needed;
6) the child has been placed in the physical and legal custody of a fit and willing relative and services from the county agency are no longer needed;
7) the child has been placed in another living arrangement intended to be permanent and services from the county agency are no longer needed and a hearing has been held pursuant to [paragraph (E)] subdivision (e) for a child who is age eighteen or older;
8) the child has been adjudicated delinquent and services from the county agency are no longer needed because all dependency issues have been resolved;
9) the child has been emancipated by the court;
10) the child is [eighteen] 18 years of age or older and a hearing has been held pursuant to [paragraph (E)] subdivision (e);
11) the child has died;
12) a court in another county of this Commonwealth has accepted jurisdiction; or

13) a court in another state has accepted jurisdiction.

[**B.**] (b) [*Ready, willing, and able parent*] *Ready, Willing, and Able Parent*. When services from the county agency are no longer necessary because the court has determined that the child is not dependent pursuant to [**paragraph (A)(3)**] **subdivision (a)(3)** because a non-custodial parent has been found by the court to be able and available, the court shall enter an order awarding custody to that parent and the court order shall have the effect and be docketed as a decision entered pursuant to the [**Pa.R.C.P.**] **Pennsylvania Rules of Civil Procedure**.

[**C.**] (c) *Objection*. Any party may object to a motion under [**paragraph (A)**] **subdivision (a)** and request a hearing.

[**D.**] (d) *Hearing*. If objections have been made under [**paragraph (C)**] **subdivision (c)**, the court shall hold a hearing and give each party an opportunity to be heard before the court enters its final order.

[**E.**] (e) *Children [eighteen years of age or older] 18 Years of Age or Older*.

1) Before the court can terminate its supervision of a child who is [**eighteen**] **18** years of age or older, a hearing shall be held at least [**ninety**] **90** days prior to the child turning [**eighteen**] **18** years of age.

2) Prior to the hearing, the child shall have the opportunity to make decisions about the transition plan and confer with the county agency about the details of the plan. The county agency shall provide the transition plan to the court and the plan shall, at a minimum, include:

[**a**] (i) the specific plans for housing;

[**b**] (ii) a description of the child's source of income;

[**c**] (iii) the specific plans for pursuing educational or vocational training goals;

[**d**] (iv) the child's employment goals and whether the child is employed;

[**e**] (v) a description of the health insurance plan that the child is expected to obtain and any continued health or behavioral health needs of the child;

[**f**] (vi) a description of any available programs that would provide mentors or assistance in establishing positive adult connections;

[**g**] (vii) verification that all vital identification documents and records have been provided to the child;

[**h**] (viii) a description of any other needed support services; [**and**]

(ix) **a list, with contact information, of supportive adults and family members; and**

[**i**] (x) notice to the child that the child can request resumption of juvenile court jurisdiction until the child turns [**twenty-one**] **21** years of age if specific conditions are met.

3) At the hearing, the court shall review the transition plan for the child. If the court is not satisfied that the requirements of [**paragraph (E)(2)**] **subdivision (e)(2)** have been met, a subsequent hearing shall be scheduled.

4) The court shall not terminate its supervision of the child without approving an appropriate transition plan,

unless the child, after an appropriate transition plan has been offered, is unwilling to consent to the supervision and the court determines termination is warranted.

[**F.**] (f) *Cessation of [services] Services*. When all of the above listed requirements have been met, the court may discharge the child from its supervision and close the case.

Comment:

For procedures on motions, see Rule 1344. For procedures on the dispositional order, see Rule 1515.

For guidelines under [**paragraph (A)**] **subdivision (a)**, see 42 Pa.C.S. §§ 6301(b) [**&**] **and** 6351(f.1).

Pursuant to [**paragraph (A)(8)**] **subdivision (a)(8)**, if a child has been adjudicated delinquent, the court may terminate court supervision unless dependency is necessary for placement. *In re Deanna S.*, [**422 Pa. Super. 439**,] 619 A.2d 758 (Pa. Super. 1993). The court may also decide to retain dependency jurisdiction regardless of the delinquency adjudication because the child still needs dependency services.

If dependency issues have not been resolved, the case should be kept open and services ordered. The court should ensure that services are not discontinued solely because the child was adjudicated delinquent. The county agency and the juvenile probation are to collaborate on the case and resolve all outstanding issues. If a child is in a delinquency placement, the court is to ensure that the county agency and the juvenile probation office have collaborated to ensure appropriate services are in place.

For procedures on emancipation pursuant to [**paragraph (A)(9)**] **subdivision (a)(9)**, see *Berks County Children and Youth Services v. Rowan*, [**428 Pa. Super. 448**,] 631 A.2d 615 (Pa. Super. 1993). See also [,] 22 Pa. Code § 11.11, 55 Pa. Code § 145.62.

Pursuant to [**paragraph (A)(10)**] **subdivision (a)(10)**, a child who was adjudicated dependent prior to reaching the age of [**eighteen**] **18** and who, while engaged in a course of instruction or treatment, requests the court to retain jurisdiction until the course has been completed, may remain in the course of instruction or treatment until the age of [**twenty-one**] **21**. 42 Pa.C.S. § 6302. See also [,] 55 Pa. Code §§ 3103.5 [**&**] **and** 3130.87; *In re S.J.*, 906 A.2d 547 (Pa. Super. [**Ct.**] 2006).

The court may not terminate jurisdiction solely because the dependent child is a runaway. *In re Deanna S.*, [**422 Pa. Super. 439**,] 619 A.2d 758 (Pa. Super. 1993).

[**A**] Pursuant to **subdivision (b)**, a child whose non-custodial parent is ready, willing, and able to provide adequate care for the child may not be found dependent. See *In re M.L.*, [**562 Pa. 646**,] 757 A.2d 849 (Pa. 2000). [See **paragraph (B). Paragraph (B)**] **Subdivision (b)** does not apply to resumption of jurisdiction cases.

[Pursuant to 42 Pa.C.S. § 6351(a)(2.1), a] **A** court may transfer permanent legal custody to a person found by the court to be qualified to receive and care for the child. See 42 Pa.C.S. § 6351(a)(2.1). See also *Justin S.*, [**375 Pa. Super. 88**,] 543 A.2d 1192 (Pa. Super. 1988).

Pursuant to [paragraph (E)(2)] subdivision (e)(2), the county agency is to assist the child and provide all the support necessary in developing a transition plan. *See* 42 U.S.C. § 675(5)(A)—(H); **67 Pa.C.S. § 7505**.

Pursuant to [paragraph (E)(3)] subdivision (e)(3), the court is to approve a transition plan that is suitable for the child and that has been personalized at the direction of the child.

If the court has resumed jurisdiction pursuant to Rule 1635, a new transition plan is to be developed for the child. Before the court can terminate supervision, the requirements of [paragraph (E)] subdivision (e) are to be followed. In no case is a juvenile over [twenty-one] **21** to remain under juvenile court supervision. *See* [Rule] **Pa.R.J.C.P. 1635(E)**. [*See also*] *See also* Rule 1635(E) for termination of juvenile court jurisdiction if the court denies the motion for resumption of jurisdiction.

[*Official Note: Rule 1613 adopted August 21, 2006, effective February 1, 2007. Amended July 29, 2009, effective immediately. Amended April 29, 2011, effective July 1, 2011. Amended October 21, 2013 and renumbered from Rule 1613 to Rule 1631, effective December 1, 2013.*]

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1613 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1613 published with the Court's Order at 39 Pa.B. 4887 (August 15, 2009).

Final Report explaining the amendments to Rule 1613 published with the Court's Order at 41 Pa.B. 2430 (May 14, 2011).

Final Report explaining the amendments to Rule 1631 published with the Court's Order at 43 Pa.B. 6658 (November 9, 2013).]

**JUVENILE COURT PROCEDURAL RULES
COMMITTEE ADOPTION REPORT**

**Amendment of Pa.R.J.C.P. 1120, 1149,
1154, 1242, 1330, 1409, 1512, 1514, 1515, 1608,
1609, 1610, 1611, and 1631**

On March 22, 2023, the Supreme Court amended Pennsylvania Rules of Juvenile Court Procedure 1120, 1149, 1154, 1242, 1330, 1409, 1512, 1514, 1515, 1608, 1609, 1610, 1611, and 1631 to, *inter alia*, implement the Act of November 3, 2022, P.L. 1765, No. 118. This Act amended Title 67 concerning family finding, permanency and transition plans, and amended the Juvenile Act concerning permanency hearings. The Juvenile Court Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. *See* Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

The Act is intended to improve the transition of a child leaving foster care at 18 years of age or older. The Act, *inter alia*, repealed the current family finding statutes and relocated them to Chapter 75 within Title 67. *See* 67 Pa.C.S. §§ 7501—7509. Further, the Act included a requirement that the county agency develop a permanency plan and provide services to facilitate that plan. *See* 67 Pa.C.S. § 7504. Additionally, the county agency is required to plan for, and provide services related to, a

child's transition out of foster care. *See id.* § 7505. The Act also amended the Juvenile Act concerning the disposition of dependent children at 42 Pa.C.S. § 6351(f)(8), (f)(8.2), and (f.1).

For children 14 years of age or older, the Act requires the court to determine at the permanency review hearing whether transition planning and services are being provided in accordance with 67 Pa.C.S. § 7505. *See* 42 Pa.C.S. § 6351(f)(8). Whether the required services are being provided is addressed in the amendment of Pa.R.J.C.P. 1608(d)(1)(xi)(A). There is no proposed requirement for planning because the rule text currently does not require a transition plan pursuant to 42 U.S.C. § 675(5)(A). Instead, the transition plan requirement of 67 Pa.C.S. § 7505 is referenced in the same Comment currently referencing the transition plan required by 42 U.S.C. § 675(5)(A).

The county agency is also required to develop a permanency plan and provide permanency services pursuant to 67 Pa.C.S. § 7504 when a child's legal custody is temporarily transferred pursuant to 42 Pa.C.S. § 6351(A)(2). Section 7504 contains specific requirements for the plan and services. Given that these requirements apply when a child is removed from home, *i.e.*, legal custody is temporarily transferred, subdivision (a)(6) has been added to Pa.R.J.C.P. 1514 (Dispositional Finding Before Removal from Home).

For children 18 years of age or older whose supervision is being terminated, a transition plan that complies with 67 Pa.C.S. § 7505 is required in addition to the present requirement that the transition plan comply with 42 U.S.C. § 675(5)(H). *See* 42 Pa.C.S. § 6351(f)(8.2). The stated requirements for a transition plan under § 7505 are:

(1) Identification of or detailed options for a suitable place of intended residence.

(2) A list, with contact information, of supportive adults and family members.

(3) Identification of local opportunities for mentorships and continuing social support.

(4) A plan or detailed options for employment, job training or continuing education.

(5) Documentation of the child's possession of relevant documents or, if the child does not have possession of the documents, an explanation of the reasons why the child does not have the documents and detailed instructions on how the child may obtain the documents.

67 Pa.C.S. § 7505(B).

Permanency hearings for children over 18 are governed by Pa.R.J.C.P. 1610. Subdivision (A)(2) of that rule requires the court to determine whether the transition plan is consistent with Pa.R.J.C.P. 1631(e)(2). Turning to that rule, subdivision (e)(2)(i) ("specific plans for housing") appears to satisfy § 7505(B)(1). Subdivision (e)(2)(vi) ("a description of any programs that would provide mentors or assistance in establishing positive adult connections") and subdivision (e)(2)(viii) ("a description of any other needed support services") appear to satisfy § 7505(B)(3). Subdivision (e)(2)(iii) ("the specific plans for pursuing educational or vocational training goals") and subdivision (e)(2)(iv) ("the child's employment goals and whether the child is employed") appear to satisfy § 7505(B)(4). Subdivision (e)(2)(vii) ("verification that all vital identification documents and records have been provided to the child") appears to satisfy § 7505(B)(5).

There is one item in § 7505(B) that is not included in subdivision (e)(2): “A list, with contact information, of supportive adults and family members.” 67 Pa.C.S. § 7505(B)(2). Accordingly, Pa.R.J.C.P. 1631 has been amended to add subdivision (e)(2)(ix).

The Act also changes the applicability of another planned permanent living arrangement (“APPLA”) from children 16 years old to children 18 years old. See 42 Pa.C.S. § 6351(f.1)(5)(i). This is addressed by the amendment of Pa.R.J.C.P. 1608(d)(2). Further, for APPLA, two, rather than one, supportive adults with significant connections to the child’s life must be identified. See *id.* § 6351(f.1)(5)(ii) and (f.1)(5)(iv)(D). This is addressed by the amendment of Pa.R.J.C.P. 1608(d)(2)(i)(C) and (d)(2)(iii)(C). Finally, the court must also identify the specific approved APPLA. See *id.* § 6351(f.1)(5)(iv)(E). This is addressed by the amendment of Pa.R.J.C.P. 1608(d)(2)(iii)(D).

In addition, the Comments accompanying Pa.R.J.C.P. 1154, 1242, 1512, and 1609 have been amended to reflect the Act of December 28, 2015, P.L. 559, No. 94.

Aside from stylistic revisions, the following commentary has been removed:

Pa.R.J.C.P. 1154

Official Note: Rule 1154 adopted August 21, 2006, effective February 1, 2007. Amended April 29, 2011, effective July 1, 2011. Amended April 6, 2017, effective September 1, 2017.

Committee Explanatory Reports: Final Report explaining the amendments to Rule 1154 published with the Court’s Order at 41 Pa.B. 2413 (May 14, 2011). Final Report explaining the amendments to Rule 1154 published with the Court’s Order at 47 Pa.B. 2313 (April 22, 2017).

Pa.R.J.C.P. 1242

Official Note: Rule 1242 adopted August 21, 2006, effective February 1, 2007. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended July 13, 2015, effective October 1, 2015. Amended May 16, 2017, effective July 1, 2017.

Committee Explanatory Reports: Final Report explaining the provisions of Rule 1242 published with the Court’s Order at 36 Pa.B. 5571 (September 2, 2006). Final Report explaining the amendments to Rule 1242 published with the Court’s Order at 41 Pa.B. 2319 (May 7, 2011). Final Report explaining the amendments to Rule 1242 published with the Court’s Order at 41 Pa.B. 2413 (May 14, 2011). Final Report explaining the amendments to Rule 1242 published with the Court’s Order at 45 Pa.B. 3987 (July 25, 2015). Final Report explaining the amendments to Rule 1242 published with the Court’s Order at 47 Pa.B. 3078 (June 3, 2017).

Pa.R.J.C.P. 1608

Official Note: Rule 1608 adopted August 21, 2006, effective February 1, 2007. Amended December 18, 2009, effective immediately. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended October 21, 2013, effective December 1, 2013. Amended July 13, 2015, effective October 1, 2015. Amended December 9, 2015, effective January 1, 2016. Amended June 14, 2016, effective October 1, 2016.

Committee Explanatory Reports: Final Report explaining the provisions of Rule 1608 published with the Court’s Order at 36 Pa.B. 5571 (September 2, 2006). Final Report explaining the amendments to Rule 1608 published with

the Court’s Order at 40 Pa.B. 21 (January 2, 2010). Final Report explaining the amendments to Rule 1608 published with the Court’s Order at 41 Pa.B. 2319 (May 7, 2011). Final Report explaining the amendments to Rule 1608 published with the Court’s Order at 41 Pa.B. 2430 (May 14, 2011). Final Report explaining the amendments to Rule 1608 published with the Court’s Order at 43 Pa.B. 6658 (November 9, 2013). Final Report explaining the amendments to Rule 1608 published with the Court’s Order at 45 Pa.B. 3987 (July 25, 2015). Final Report explaining the amendments to Rule 1608 published with the Court’s Order at 45 Pa.B. 7289 (December 26, 2015). Final Report explaining the amendments to Rule 1608 published with the Court’s Order at Pa.B. - (-).

Pa.R.J.C.P. 1631

Official Note: Rule 1613 adopted August 21, 2006, effective February 1, 2007. Amended July 29, 2009, effective immediately. Amended April 29, 2011, effective July 1, 2011. Amended October 21, 2013 and renumbered from Rule 1613 to Rule 1631, effective December 1, 2013.

Committee Explanatory Reports: Final Report explaining the provisions of Rule 1613 published with the Court’s Order at 36 Pa.B. 5571 (September 2, 2006). Final Report explaining the amendments to Rule 1613 published with the Court’s Order at 39 Pa.B. 4887 (August 15, 2009). Final Report explaining the amendments to Rule 1613 published with the Court’s Order at 41 Pa.B. 2430 (May 14, 2011). Final Report explaining the amendments to Rule 1631 published with the Court’s Order at 43 Pa.B. 6658 (November 9, 2013).

* * *

These amendments become effective October 1, 2023.

[Pa.B. Doc. No. 23-425. Filed for public inspection March 31, 2023, 9:00 a.m.]

Title 25—LOCAL COURT RULES

WASHINGTON COUNTY

Adoption of Local Rules of Judicial Administration L-1907.2, L-4002, L-4008 and L-5000; No. 2023-1

Administrative Order

And Now, this 14th day of March, 2023, it is hereby *Ordered, Adjudged, and Decreed* that Washington County Local Rules of Judicial Administration L-1907.2, L-4002, L-4008, and L-5000 (following) are hereby adopted, effective thirty (30) days after publication of this *Order* in the *Pennsylvania Bulletin*.

It is further *Ordered* that Local Rule of Judicial Administration L-1907.1 is *Rescinded*.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(d)(5) and (6). The District Court Administrator is directed to:

1. Distribute copies of the adopted local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
2. File one (1) copy with the Administrative Office of Pennsylvania Courts;
3. Publish the local rules on the Court’s website within thirty (30) days of the effective date; and

4. Cause a copy hereof to be published in the *Washington County Reports* once a week for two (2) successive weeks at the expense of the County of Washington.

By the Court

JOHN F. DiSALLE,
President Judge

Rule L-1907.2. Constable Review Board.

(A) *Purpose.* A Constable Review Board (“CRB”) is hereby created to assist in resolving any disputes related to the performance of judicial duties by a constable in accordance with the Pennsylvania Rules of Judicial Administration and the Constable Policies, Procedures, and Standards of Conduct issued by the Administrative Office of Pennsylvania Courts.

(B) *Definitions.*

(1) “Constable” is defined as any elected or appointed constable or deputy constable performing judicial duties for any magisterial district court within the Twenty-Seventh Judicial District.

(2) “Judicial Duties” are services performed pursuant to 44 Pa.Con. Stat. §§ 7161 and 7161.1 or set forth in the Constable Policies, Procedures, and Standards of Conduct.

(C) *Scope.*

(1) The jurisdiction of the CRB extends only to constables in the performance of judicial duties.

(2) The CRB may receive complaints by or against constables regarding:

- (a) the performance of judicial duties;
- (b) financial or payment disputes; or
- (c) other matters relevant to judicial duties including, but not limited to, Constable Policies, Procedures, and Standards of Conduct or the Unified Judicial System of Pennsylvania Policy on Non-discrimination and Equal Employment Opportunity.

(3) Nothing contained herein shall preclude any person or surety of a constable from filing a verified petition in accordance with 44 Pa.Con. Stat. § 7172 alleging that a constable is incompetent to discharge official duties.

(D) *Authority.*

(1) The CRB may make recommendations to the President Judge with respect to practices and procedures as related to constables generally and make recommendations regarding the continued use of the services of a constable by the Court.

(2) The CRB shall forward any findings of suspected criminal activity to the Washington County District Attorney or other appropriate law enforcement agency.

(3) The President Judge has the ultimate authority with regard to performance of judicial duties by a constable within Washington County. The President Judge may place a moratorium on the use of a particular constable pending the review and recommendation of the CRB on a complaint.

(E) *Membership of the Constable Review Board.* The CRB shall be comprised of the following members, who serve at the pleasure of the President Judge:

- (1) a Common Pleas Judge;
- (2) the District Court Administrator;
- (3) a Magisterial District Judge;
- (4) a certified constable and an alternate constable to be used in the case of a conflict;
- (5) the County Controller (subject to the limitation set forth below); and
- (6) a member of the public.

The Common Pleas Judge shall act as Chairperson. The Chairperson shall be responsible for conducting, coordinating, and overseeing the business of the CRB. The District Court Administrator shall serve as Secretary of the CRB, and is responsible for maintaining the records of all proceedings. A majority of the voting members shall constitute a quorum.

(F) In instances where a conflict of interest exists for a member of the Board, the President Judge may name a substitute for that complaint, or permit the Board to proceed without the participation of the member. The Controller shall be deemed to have a conflict of interest in every complaint where the allegations involve the expenditure of County funds for services, or where the complaint is submitted by the Controller or a person under his or her employ.

(G) *Filing Procedures.* Constables shall make every attempt to resolve their disputes with the party or agency involved prior to filing a complaint with the CRB.

(1) A complaint by or against a constable must be in writing on the form set forth below and shall be signed by the complainant and specify in detail the alleged misconduct, financial dispute, or other matter related to the performance of judicial duties.

(2) The complaint may be submitted in person or by mail, to the following contact:

Special Courts Administrator
Washington County Courthouse
1 South Main Street, Suite 1003
Washington, PA 15301

WASHINGTON COUNTY CONSTABLE REVIEW BOARD COMPLAINT

Filing Date: _____

Complainant’s Name: _____ (your name)

Address: _____

Telephone Number: _____ Email: _____

Constable’s Name: _____

- Type of Issue: Performance of Judicial Duties
 Financial/Payment Issues
 Other issues relevant to a constable’s judicial duties

Was an attempt made to resolve this issue before filing the request for review?

YES NO

If yes, briefly explain:

Please describe in full detail the issue and attach all relevant documents. Attach additional pages if necessary.

Date: _____

Signature: _____

This complaint may be mailed to the following:

Special Courts Administrator
Washington County Courthouse
1 South Main Street, Suite 1003
Washington, PA 15301

(3) If a complaint is filed with the Special Courts Administrator, he or she shall inform the Chairperson of the receipt of a complaint. The Chairperson is responsible for initially determining if the complaint falls within the jurisdiction of the CRB.

(i) If the complaint is not within the jurisdiction of the CRB, the Special Courts Administrator shall notify the complainant of the determination and that the matter is closed.

(ii) If the complaint is within the jurisdiction of the CRB, the Special Courts Administrator shall forward a date-stamped copy of the complaint to the constable by certified mail. The constable will have twenty (20) days to respond in writing to the complaint. The Special Courts Administrator shall forward the response to the Chairperson.

(4) Failure of a constable to respond to a written allegation, or failure to appear before the CRB when requested, shall be interpreted as an admission of no contest to the allegation.

(H) *Actions and Dispositions of the CRB and the President Judge.*

(1) The Chairperson shall convene the CRB upon the filing of a complaint that falls within the jurisdiction of the Board.

(2) The CRB may interview all parties involved, or designate any of its members to interview or investigate. The Chairperson shall have discretion as to whether to conduct a hearing on the matter. Any hearing shall be transcribed for use by the CRB and the President Judge.

(3) The CRB shall have the authority to act, absent the filing of a complaint, on any potential violations that may be discovered in the course of investigating a matter, or that otherwise come to its attention.

(4) A recommended decision by the CRB should be submitted to the President Judge. Individual members of the CRB may submit separate opinions in addition to the recommended decision.

(5) A copy of the recommended decision shall be promptly sent by certified mail to the affected constable and to the complainant. Accompanying the recommended decision shall be a summary of the provisions of paragraph (6) of this subsection, relating to review by the President Judge.

(6) The President Judge shall have authority to approve, reject, modify, or dismiss the recommended decision. Any interested party shall have twenty (20) days from the date of the recommended decision to submit any exceptions to the President Judge. The President Judge may act on the recommended decision without further input from the constable or complainant, or conduct further proceedings including, but not limited to, argument, briefing, and/or a hearing.

(7) Notwithstanding paragraph (6) above, if the CRB considers a matter urgent, it may recommend to the President Judge that immediate action be ordered pending the filing and disposition of any exceptions and the President Judge shall have discretion to act upon any such recommendation.

(8) A copy of the decision of the President Judge shall be promptly sent by the District Court Administrator to the constable and any complainant by certified mail or by such other means as the President Judge may direct.

(9) In the event that the President Judge orders the moratorium or suspension of a constable, the constable will not be authorized to perform services in the County of Washington, including any court or political subdivision, for the specified period. Upon receipt of the suspension notice, the constable shall immediately return to all courts and agencies all warrants, writs, subpoenas, and civil papers to the proper issuing authority. Failure to do so promptly may be cause for further action by the President Judge.

(I) *Notice by President Judge.*

The District Court Administrator shall provide notice of any action taken by the President Judge in accordance with applicable authority.

(J) *Rules of Civil Procedure. Filings. Costs and Fees.*

(1) The Pennsylvania Rules of Civil Procedure shall not apply to proceedings of the CRB. The Chairperson may order the production of documents or such testimony as necessary to conduct the business of the CRB.

(2) Absent order of court, a party and/or participant in a matter before the CRB is prohibited from filing any papers with the Clerk of Courts or Prothonotary related to a proceeding before the CRB.

(3) If a finding of misconduct in the course of performing judicial duties is sustained by the President Judge, the President Judge may make the decision available to the public, including filing the decision, and any other part of the file that he or she deems appropriate, in the Office of the Prothonotary. Unless made public by the President Judge, any filing related to a complaint shall be deemed a confidential filing.

(a) Any filing fees related to a matter pending before the CRB shall be waived. Filings are to be docketed in a manner prescribed by the Court.

(4) Any costs related to the business of the CRB shall be paid by the County.

Rule L-4002. Definition of Proceeding. Digital Audio Files.

(A) As contained in these rules, the term proceeding shall be defined as a hearing or trial in which testimony is given and/or exhibits are admitted into evidence.

(B) Digital audio files are to be used only as an aid to transcription and shall not be disclosed, provided, or otherwise disseminated to attorneys, parties, participants, or the public. Digital audio files of motions or conferences shall not be transcribed absent order of court for good cause shown.

(C) Nothing in this rule shall be construed to in any way limit or modify the inherent authority of the President Judge or his/her designee, or the judge or hearing officer to whom a case is assigned, to use digital audio files as an aid in making case determinations, to review recordings for the confirmation of accurate transcription, or any other appropriate purpose.

Comment: This rule should not be interpreted to conflict with the provisions of Rules of Criminal Procedure 115, 313, 500, and 501.

Rule L-4008. Transcript Costs for a Private Individual or Entity. Waiver of Costs for the Commonwealth or a Subdivision. Economic Hardship.

(A) The transcript costs for a requesting party other than the Court and the Commonwealth shall be the maximum rate set forth in Pennsylvania Rule of Judicial Administration 4008.

(1) The rates set forth above shall include the original transcript, filed of record with the appropriate filing office, one (1) copy of the transcript for the presiding judge (if requested), and one (1) copy of the transcript to be provided to the initial requesting party. When more than one party requests the transcript, or is required by general rule to file the transcript, the cost shall be divided equally among the parties, and each party shall receive one (1) copy of the transcript.

(2) When the transcript is in bound paper format, the requesting party shall be charged a surcharge of \$0.25 per page.

(3) Payments for all transcript costs shall be made at the filing office. If paying by check or money order, the payee shall be the County of Washington. A convenience fee may be charged for payments by debit or credit card or made online.

(a) Monies collected for transcripts shall be remitted by the filing office to an account maintained by the Treasurer of the County of Washington. The monies collected shall be deposited monthly by the Treasurer to the general fund of the County of Washington to be used to supplement the County's appropriation for court reporters and court reporting services.

(b) Refunds for deposits or payments related to transcript costs may only be authorized by the District Court Administrator or his or her designee.

(4) All requests for a copy of any transcript previously ordered, transcribed, and filed of record shall be made to the filing office in which the transcript is lodged of record, unless the transcript is of a confidential matter or dissemination is prohibited by law.

(a) The cost for a copy of any transcript previously ordered, transcribed, and filed of record shall be \$0.75 per page for bound, paper format, and \$0.50 per page for an electronic copy. Copies shall be obtained from the filing office in which the transcript is lodged of record.

(b) Monies collected for copies shall be remitted by the filing office to an account maintained by the Treasurer of the County of Washington. The filing office may deduct a \$0.25 fee per page for administrative costs. The remaining monies collected for copies of transcripts shall be deposited monthly by the Treasurer to the general fund of the County of Washington to be used to supplement the County's appropriation for court reporters and court reporting services.

(B) The transcript costs for a request made by the Court or the Commonwealth, if applicable, shall be set by administrative order.

(1) For the purpose of this local rule, the Court is defined as any common pleas judge, hearing officer, master, or the District Court Administrator conducting official business of the Court. The Commonwealth is defined as the District Attorney, Public Defender, court-appointed counsel, or any other department or agency of the County of Washington that is a party to the proceeding. Officials acting in an individual capacity shall not be deemed as the Commonwealth. Any dispute concerning a waiver or modification of costs shall be determined by the President Judge or District Court Administrator.

(2) A filing office may not charge a fee to the Court or Commonwealth for a copy of a transcript previously ordered, transcribed, and filed of record.

(C) At the discretion of the trial judge, a reasonable surcharge may be imposed on a transcript request in cases such as mass tort, medical malpractice or other unusually complex litigation where there is a need for court reporters to significantly expand their dictionary. The surcharge shall be set in consultation with the District Court Administrator.

(D) At the discretion of the District Court Administrator or his/her designee, a reasonable fee may be charged for a secure electronic feed which instantaneously delivers the translated notes from the court reporter to a laptop, tablet, phone, or other portable electronic device to parties, the media, or other interested individuals. Permission to install or obtain such a feed must be received from the presiding judge and the District Court Administrator, and will be subject to the availability of the necessary court reporting resources.

(E) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the United States Department of Health and Human Services for the calendar year in which the request is made, and shall be reduced by one-half for a litigant whose income is less than 200

percent of the poverty line as defined by the United States Department of Health and Human Services for the calendar year in which the request is made.

(1) Litigants who are represented by a free legal aid service for low-income citizens shall not be required to prove economic hardship, and are entitled to obtain ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation for no cost.

(a) To receive a no-cost ordinary transcript, clients of a free legal service must demonstrate that a legal aid service attorney has entered an appearance on their behalf in the case for which a transcript is requested. Legal aid services shall provide the District Court Administrator with a letter certifying that the client meets financial eligibility and that the matter is under appeal or is necessary to advance the current litigation.

(2) Transcript costs for ordinary transcripts in matters that are not subject to appeal or necessary to advance the litigation shall not be waived or reduced for litigants who qualify for economic hardship, unless ordered by the court for cause shown.

Note: The procedure to waive all or a portion of costs for ordinary transcripts is set forth in Local Rule of Judicial Administration 4007.

(F) Nothing in this rule shall be read to prescribe or specify a fee to be paid to a court reporter or transcriptionist for both transcripts requested by litigants and transcripts requested by the Commonwealth or a subdivision thereof. The compensation of court reporters or transcriptionists is a matter for the judicial district and county funding authority.

Rule L-5000. Court-Appointed Counsel.

(A) The President Judge shall issue a policy governing the appointment and payment of counsel in cases within any division of the Court.

(1) The policy shall set forth the following:

- (a) an hourly rate for billable activity;
- (b) standards for what activity is considered appropriate and allowable as compensable time and a reimbursable expense;
- (c) presumptive caps for fees based on the type of case; and
- (d) the process for submitting a request for payment of fees and expenses.

(2) Expenses for professional services, including but not limited to, investigators, experts, and transcription services, must be approved in advance by the presiding judge. The presiding judge shall set forth a specific amount to be expended by order of court if the request is approved. Failure to secure prior approval may lead to the denial of reimbursement or other appropriate sanctions.

(3) The invoices underlying payment shall be considered confidential and may not be released by the County or its officials without prior authorization from the Court. Absent authorization from the Court, invoices for juvenile cases may not be disclosed to the Children and Youth Services agency of the County or a solicitor for the County.

Note: Any request under the Right-to-Know-Law for invoices or billing information from court-appointed counsel should be forwarded to the open records officer (Rule 509 manager) for the judicial district to determine if the record is to be disclosed. *County of Centre v. Grine*, 138 A.3d 88 (Pa. Cmwlth. 2016).

(B) Appointment of counsel shall only occur in cases where a right to counsel exists as established by statute or rule. In appointing counsel, the presiding judge must determine that the individual is indigent and/or that the interests of justice require the appointment.

(C) Payments shall be reviewed by the District Court Administrator or his/her designee. Any unusual aspects concerning the request for fees or expenses are to be brought to the attention of the presiding judge. The President Judge may provide the District Court Administrator with authority to approve or disapprove a fee or expense subject to direction from the presiding judge; provided, however, that the President Judge retains the final authority over the payment of a fee or expense for any appointment.

(D) The determination of whether time is reasonably spent or if an expense is appropriate lies solely with the Court. In determining reasonableness, consideration may be given to whether the time spent was necessary or if less time consuming alternatives existed.

(E) Counsel should consider that appointment by the Court is a public trust and strive to keep requests for compensation and reimbursement to a fair and reasonable sum consistent with any other request for payment out of the public funds. If counsel does not feel that such a request can remain within this standard, he/she should decline the appointment.

[Pa.B. Doc. No. 23-426. Filed for public inspection March 31, 2023, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

Adoption of Local Rules of Juvenile Procedure L-205 and L-1205; No. 2023-1

Administrative Order

And Now, this 14th day of March, 2023, having received approval from the appropriate Rules Committee pursuant to Pa.R.J.A. 103(d)(4), it is hereby *Ordered, Adjudged, and Decreed* that Washington County Local Rules of Juvenile Procedure L-205 and L-1205 (following) are hereby adopted, effective thirty (30) days after publication of this *Order* in the *Pennsylvania Bulletin*.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(d)(5) and (6). The District Court Administrator is directed to:

1. Distribute copies of the adopted local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
2. File one (1) copy with the Administrative Office of Pennsylvania Courts;
3. Publish the local rules on the Court's website within thirty (30) days of the effective date; and

4. Cause a copy hereof to be published in the *Washington County Reports* once a week for two (2) successive weeks at the expense of the County of Washington.

By the Court

JOHN F. DiSALLE,
President Judge

Rule L-205. Electronic Filing and Service of Legal Papers.

(A) The Administrative Office of Pennsylvania Courts and the 27th Judicial District previously agreed to an implementation plan for electronic filing through the statewide system known as PACFile, and more than two years has passed since the use of PACFile was authorized for the filing of legal papers in delinquency proceedings.

(B) All parties represented by counsel and juvenile probation personnel are required to electronically file legal papers through PACFile with the clerk of courts, unless otherwise prohibited by Pa.R.J.C.P. 205(C), and for which PACFile has the technical capability to process. Legal papers that are exempt from filing by PACFile include:

- (1) applications for search warrants;
- (2) applications for arrest warrants;
- (3) exhibits offered into evidence, whether admitted or not, in a proceeding before a common pleas judge or hearing officer; and
- (4) submissions filed ex parte as authorized by law.

(C) Any party who is unable to participate in PACFile may file legal papers in a physical paper format with the clerk of courts, and shall be served legal papers in a physical paper format by the clerk of courts and other parties to the case. However, establishment of a PACFile account by a filing party shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed in PACFile.

(D) The clerk of courts shall maintain a physical paper file until the case is closed. Following closure, the clerk of courts may maintain an electronic file only after entering a docket notation that the electronic file is a complete and true copy of the physical file with the exception of those items identified in subsections (B)(1) through (B)(4), which must be maintained in a physical paper format only in accordance with Pa.R.J.C.P. 205(C).

(E) For the purposes of this rule, the term “clerk of courts” is defined as that person or entity designated as such in Local Rule of Juvenile Procedure 120. The Juvenile Probation Office is the clerk of courts for delinquency matters.

Rule L-1205. Electronic Filing and Service of Legal Papers.

(A) The Administrative Office of Pennsylvania Courts and the 27th Judicial District previously agreed to an implementation plan for electronic filing through the statewide system known as PACFile, and more than two years has passed since the use of PACFile was authorized for the filing of legal papers in dependency proceedings.

(B) All parties represented by counsel and guardian ad litem are required to electronically file legal papers through PACFile with the clerk of courts, unless otherwise prohibited by Pa.R.J.C.P. 1205(C), and for which PACFile has the technical capability to process. Legal papers that are exempt from filing by PACFile include:

- (1) submissions filed ex parte as authorized by law; and
- (2) exhibits offered into evidence, whether admitted or not, in a proceeding before a common pleas judge or hearing officer.

(C) Any party who is unable to participate in PACFile may file legal papers in a physical paper format with the clerk of courts, and shall be served legal papers in a physical paper format. However, establishment of a PACFile account by a filing party shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed in PACFile.

(D) The clerk of courts shall maintain a physical paper file until the case is closed. Following closure, the clerk of courts may maintain an electronic file only after entering a docket notation that the electronic file is a complete and true copy of the physical file with the exception of those items identified in subsections (B)(1) and (B)(2), which must be maintained in a physical paper format only in accordance with Pa.R.J.C.P. 1205(C).

(E) For the purposes of this rule, the term “clerk of courts” is defined as that person or entity designated as such in Local Rule of Juvenile Procedure 1120. The Juvenile Probation Office is the clerk of courts for dependency matters.

[Pa.B. Doc. No. 23-427. Filed for public inspection March 31, 2023, 9:00 a.m.]

STATEMENTS OF POLICY

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF NURSING [49 PA. CODE CH. 21]

Interpretations Regarding the Administration of Drugs—Statement of Policy

The State Board of Nursing (Board) amends § 21.413(d) (relating to interpretations regarding the administration of drugs—statement of policy) to read as set forth in Annex A. This statement of policy is intended to provide guidance to Board-regulated practitioners, other healthcare providers, health and hospital systems and the general public.

Statutory Authority

Sections 8.2(c) and 8.3(b) of the Professional Nursing Law (RN Law) (63 P.S. §§ 218.2(c) and 218.3(b)) authorize certified registered nurse practitioners (CRNP) who meet the requirements of section 8.3(a) of the RN Law to prescribe medical therapeutic or corrective measures within the terms of the collaborative agreement. Section 21.401(d) (relating to interpretations: scope of practice) delineates the procedure for adopting a statement of policy, including publication of a notice and review indicating the date and place for the conduct of hearings and consideration of public comments received following publication of the notice.

Background and Purpose

Under section 8.2 of the RN Law, CRNPs are required to practice within the scope of practice of the particular clinical specialty area in which the nurse is certified by the Board and within the terms of their collaborating agreements. In 1998, when § 21.413(d) was last amended, CRNPs had not yet been granted the authority under the RN Law to prescribe. Since that time, sections 8.2(c) and 8.3(b) of the RN Law were added authorizing CRNPs who possess prescriptive authority to prescribe medical therapeutic or corrective measures. Because the administration of conscious sedation under § 21.284(b)(7) (relating to prescribing and dispensing parameters) is within a CRNP's authority to prescribe, the Board updates § 21.413(d) to reflect the changes in the RN Law. This amendment provides that CRNPs may order conscious sedation medications. Additionally, the Board clarifies that either a physician or a CRNP must be physically present in the room during administration.

Under § 21.401(a), the Board may, upon request of a licensed nurse, nursing association, health care facility or licensed health care professional, issue interpretations of Chapter 21 (relating to State Board of Nursing) as they apply to the question of whether the execution of specific practices are within the scope of professional or practical nursing. On December 28, 2018, the Pennsylvania Coalition of Nurse Practitioners (PCNP) requested that the Board modernize § 21.413(d)(1). It maintained that at times, in both inpatient (acute) and ambulatory (outpatient) settings, the CRNP may be the primary care provider for the patient or may be the only health care provider present, or both, especially overnight. Waiting for a physician to order the medications or be physically present for their administration creates unnecessary delays, for example, when a patient is in respiratory

distress and needs to be intubated but no physician is present to order or view the administration or in cases where only CRNPs and physician assistants are manning intensive care units or emergency rooms.

The proposed interpretation is consistent with the Department of Health's regulations in 28 Pa. Code §§ 107.61, 107.62, 107.64, 107.65, 109.23, 109.61 and 211.7.

Although not required for the promulgation of a statement of policy, the Board sent an exposure draft to its stakeholders on August 9, 2019. The Board received comments from nursing programs, nurses and associations representing nursing, medicine and healthcare. Except for one commentator who asked questions and one who opposed the proposal, all other commentators voiced their support for the proposal. At its December 5, 2019, meeting, the Board discussed the pre-draft comments with representatives from PCNP and the Pennsylvania Medical Society (PAMED) and voted to proceed with publishing the notice of intent to amend the statement of policy.

Notice of the statement of policy was published at 52 Pa.B. 3679 (July 2, 2022), under § 21.401(d). Included within the notice was the Board's advisement that it would entertain public comment until August 31, 2022, and would hold a hearing on the proposal on October 28, 2022. The Board received one comment, on July 13, 2022, from a CRNP and representative of Penn Medicine, who was also the sole commenter at the hearing. The commenter requested that the Board delete the term "intravenous" in § 21.413(d) and (d)(1) because conscious sedation can be administered intravenously, nasally, orally, intramuscularly and by inhalation. In addition, the commenter recommended that the Board delete the clause "within the terms of their collaborative agreement" in § 21.413(d)(1) on the grounds that it is "redundant and unnecessary" since section 8.2 of the RN Law requires that CRNPs practice within the terms of their collaborative agreements. The Board concurred with the recommended amendments and adopted this statement of policy at its October 28, 2022, meeting. Because the deletion of the term "intravenous" in § 21.413(d) and (d)(1) required additional amendments to (d)(2), (4), (6) and (7), the Board voted to approve the additional amendments to § 21.413(d) at its meeting on December 15, 2022.

Description of the Statement of Policy

This statement of policy clarifies that registered nurses may administer a specific amount of conscious sedation medication during minor therapeutic and diagnostic procedures upon a written order of either a physician or a CRNP when either a physician or CRNP is present during the administration. This statement of policy is expected to eliminate confusion about CRNPs' authority to order and supervise registered nurses' (RN) administration of conscious sedation under the circumstances outlined in subsection (d).

Subsection (d) provides guidance as to the circumstances under which an RN, who is not a certified registered nurse anesthetist, may administer a specific amount of conscious sedation medication during minor therapeutic and diagnostic procedures. Specifically, paragraph (1) identifies who provides the order and who must be present when the administration is given; paragraph (2) requires written guidelines; paragraph (3) specifies the

monitoring equipment required; paragraph (4) identifies requirements for intravenous access; paragraph (5) addresses ACLS certification; paragraph (6) addresses the education required; paragraph (7) outlines concurrent responsibilities for the nurse administering the anesthesia; and paragraph (8) describes the length of monitoring.

In paragraph (1), this statement of policy clarifies that either a physician or a CRNP may order conscious sedation and either a physician or a CRNP must be present when the service is provided. It does not require that the same practitioner who ordered the conscious sedation be present when it is administered by the RN. Although the Board included PAMED's suggestion that the clause "within the terms of their collaborative agreement" modify "certified registered nurse practitioner" in the notice of its intent to amend paragraph (1), upon further discussion at the December 2022 meeting, the Board agrees that this addition is unnecessary as sections 8.2(b) and 8.3(a)(2) of the RN Law and §§ 21.282a, 21.283, 21.285(a)(1) and 21.288 govern the terms of a CRNP's practice. The statutory and regulatory provisions require a CRNP to always practice in accordance with the written agreement between the CRNP and the collaborating physician. Thus, including this clause in paragraph (1) is unnecessary and redundant.

With regard to the recommendation that the Board delete all references to "intravenous" in subsection (d), the Board agrees and therefore, deletes the term "intravenous" from paragraphs (1), (2), (6) and (7) as these provisions apply to all of the previously listed administration methods. Nonetheless, because paragraph (4) specifically addresses intravenous administration, the Board retains the term "intravenous" and adds "when the conscious sedation is administered intravenously" to the end of that paragraph.

Fiscal Impact and Paperwork Requirements

This statement of policy will have no adverse fiscal impact on the Commonwealth or its political subdivisions and will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

Sunset Date

A sunset date is not being established for this statement of policy. Its need and efficacy will be periodically monitored by the Board.

Effective Date

This statement of policy will be effective upon publication in the *Pennsylvania Bulletin*.

Additional Information

Persons who require additional information about the statement of policy may submit inquiries to the Counsel, State Board of Nursing, P.O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-7200, or RA-STRegulatoryCounsel@pa.gov.

LINDA L. KMETZ, PhD, RN,
Chairperson

(Editor's Note: Title 49 of the Pennsylvania Code is amended by amending the statement of policy in § 21.413 to read as set forth in Annex A.)

Fiscal Note: Fiscal Note 16A-5144 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 21. STATE BOARD OF NURSING

Subchapter D. INTERPRETATIONS

STATEMENT OF POLICY

§ 21.413. Interpretations regarding the administration of drugs—statement of policy.

* * * * *

(d) As used in this subsection, "conscious sedation" is defined as a minimally depressed level of consciousness in which the patient retains the ability to independently and continuously maintain an airway and respond appropriately to physical stimulation and verbal commands. The registered nurse who is not a certified registered nurse anesthetist may administer conscious sedation medications, under § 21.14, during minor therapeutic and diagnostic procedures, when the following conditions exist:

(1) The specific amount of conscious sedation medications has been ordered in writing by a licensed physician or certified registered nurse practitioner and a licensed physician or certified registered nurse practitioner is physically present in the room during administration.

(2) Written guidelines specifying the medications that the registered nurse may administer in a particular setting are available to the registered nurse.

(3) Electrocardiogram, blood pressure and oximetry equipment are used for both monitoring and emergency resuscitation purposes pursuant to written guidelines which are provided for minimum patient monitoring. Additional emergency resuscitation equipment is immediately available.

(4) The patient has a patent intravenous access when the conscious sedation is administered intravenously.

(5) The registered nurse involved in direct patient care is certified in advanced cardiac life support (ACLS). Provisions shall be in place for back-up personnel who are experts in airway management, emergency intubation and advanced life support if complications arise.

(6) The registered nurse possesses the knowledge, skills and abilities related to the management of patients receiving conscious sedation with evaluation of competence on a periodic basis. This includes, but is not limited to, arrhythmia detection, airway management and pharmacologic action of drugs administered. This includes emergency drugs.

(7) The registered nurse managing the care of the patient receiving conscious sedation medication may not have other responsibilities during the procedure. The registered nurse may not leave the patient unattended or engage in tasks which would compromise continuous monitoring.

(8) The registered nurse monitors the patient until the patient is discharged by a qualified professional authorized to discharge the patient in accordance with established criteria of the facility.

[Pa.B. Doc. No. 23-428. Filed for public inspection March 31, 2023, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

The Emergency Food Assistance Program Reach and Resiliency Grant; 2022-2023 Application Period

The Department of Agriculture (Department) announces the program requirements and application period for The Emergency Food Assistance Program (TEFAP) Reach and Resiliency Grant Program (Program) under the United States Department of Agriculture, Food and Nutrition Service. Grants will be distributed to qualified TEFAP Emergency Recipient Agencies (ERA) in this Commonwealth. The Program aims to expand TEFAP's reach into remote, rural, Tribal or low-income areas, or both, that are underserved under the Program. The Department intends to make up to \$1.6 million available for grants under the Program.

1. Program objectives.

(a) *Purpose.* The Department will award Program grants to qualified TEFAP ERAs in this Commonwealth through a competitive sub-granting process. Qualified ERAs may include county agencies and food banks with whom the Department has direct contracts for the administration of TEFAP, lead agencies designated by the county agencies to administer TEFAP and local agencies (for example, food pantries, food cupboards, school pantries, soup kitchens, shelters and the like) who operate through a newly established or existing agreement with another ERA. Priority will be given to regional projects, in which one county, food bank or lead agency serves as the lead to coordinate the project across multiple counties. Activities may include:

(1) Onboarding new partners and assisting with necessary costs to establish a new distribution site. Counties or food banks, or both, with whom the Department has direct contracts may partner with charitable nonprofit organizations who do not currently distribute TEFAP but have been determined by the county or food bank, or both, to have the ability and capacity to aid with the further distribution of TEFAP into underserved areas.

(2) *Investments in cold-storage infrastructure.* Examples of this infrastructure may include items such as industrial-sized refrigerators or freezers, or both, walk-in refrigerators or freezers, or both, and refrigerated or nonrefrigerated box trucks. Installation and shipping costs will also be eligible for support.

(3) Building renovations for existing and newly acquired spaces.

(4) *Warehouse equipment.* This may include items such as nonrefrigerated box trucks, pallet jacks, dollies, building shelving and racking, and the like. This may also include the cost of vehicles to conduct mobile distributions of TEFAP food.

(5) Materials necessary for the storage, transportation and distribution of TEFAP foods and costs of materials associated with publicizing the TEFAP Program and the distributions of TEFAP foods.

(b) *Applicants.* Applicants must be a qualified TEFAP ERA operating in this Commonwealth.

(c) *Project funding priorities.* The Department will prioritize eligible projects in rural, remote or low-income areas that are underserved.

(d) *Competitive program.* The Program is competitive. Grant requests and related documentation will be reviewed by the Department, who will approve or reject each grant request.

(e) *Funds available basis.* Grants will only be awarded to the extent that funds are available for this purpose. The Department need not expend all the funds that are available for the Program.

2. *Definitions.* The following words and terms have the following meanings:

Applicant—County agencies and food banks with whom the Department has direct contracts for the administration of TEFAP, lead agencies designated by the county agencies to administer TEFAP and local agencies (for example, food pantries, food cupboards, school pantries, soup kitchens, shelters and the like).

Bureau—The Bureau of Food Assistance.

Secretary—The Secretary of the Department.

3. *Limitations on grants.* The amount of a grant shall be between \$1,000 and \$50,000. A grant is a reimbursement grant, meaning no payment of grant funds will be made by the Department until the applicant documents the completion of work to the Department in accordance with this notice and the terms and conditions of the executed grant agreement described in section 8 as follows. Reimbursement may be submitted once at the end of the grant period.

4. *Uses of grant funds.*

(a) *Conformity to application.* Grant funds awarded to an applicant shall be expended solely to reimburse the cost of the specific activities described in the grant application.

(b) *Allowable expenditures of grant funds.* Grant funds may be expended to pay for any of the activities listed in section 1(a) previously listed.

5. *Applications.*

(a) *Application required.* Interested applicants shall submit grant applications to the Department. An application shall include a detailed work plan and project budget.

(b) *Project commencement and completion dates.* An application shall designate September 1, 2022, or a later date, as the project start date, and February 29, 2024, or earlier, as the project completion date. Program grant funds will not be awarded or paid for project activities that occur before the stated project start date or beyond the stated project completion date.

(c) *Electronic applications only.* Interested applicants must submit a complete electronic project proposal and grant application using the Department's Electronic Single Application web site at <http://www.esa.dced.state.pa.us>.

(d) *Application window.* Applications shall be submitted by 5 p.m. on Friday, May 26, 2023.

6. *Review of application.*

(a) *Transmittal of application to Bureau.* When the Bureau receives a complete and accurate grant application, it will forward this application, together with supporting documentation submitted therewith, to the Secretary for review. The Bureau may also forward a recommendation as to whether the application should be

approved or rejected, whether the grant should be in an amount less than requested and whether special restrictions or limitations should be placed on the grant.

(b) *Factors.* The Secretary will review and evaluate the application and supporting documentation and may consider the following factors, among others, in deciding whether to approve or reject the grant request:

(1) The relevance of the project to the goals and objectives identified in this announcement.

(2) The geographic service area of the project.

(3) The demographics of the population being served.

(4) The impact which the project will have.

(5) The apparent ability of the applicant to complete the project as described in the application.

(6) Whether the project has been assigned priority for funding, as previously described in section 1(c).

(c) *Decisions.* The Secretary may approve a grant in an amount less than that requested in the grant application. In addition, the Secretary may impose restrictions or special conditions upon the issuance of a grant. The Secretary will review all recommendations of the Bureau but will have final authority to accept or reject these recommendations.

7. *Notice of disposition of application.*

The Department will e-mail notice of the acceptance or rejection of a grant application by Friday, June 30, 2023. This notice will be by e-mail to the address provided by the applicant in the grant application.

8. *Grant agreement.*

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

9. *Verification of project completion.*

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

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

(1) Copies of invoices for goods or services directly related to the project, confirming that the total billed amount is at least the amount of the grant, along with the written certification of the president or treasurer of the applicant that the goods or services that are the subject of the invoices have been delivered or provided to the applicant.

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

(3) A brief narrative describing the work completed, including any available metrics.

10. *Delivery of grant funds by the Department.* The Department will pay the grant amount to the applicant in a single payment within 45 days of receiving the proof of completion previously described in section 9.

11. *Questions and additional information.* Questions on this Program, including on the online application process, may be directed to Caryn Long Earl, Bureau of Food Assistance, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2688.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 23-429. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Farm-to-School Grant Program; 2023-2024 Program Guidelines

The Department of Agriculture (Department) announces the program requirements and application period for grants under the Farm-to-School Program (Program). The Program is a grant program authorized under the Farm-to-School Act (act) (3 Pa.C.S. §§ 10901—10910). The Department intends to make up to \$500,000 available for grants under the Program. Funding is contingent upon 2023-2024 budget appropriations. These Program guidelines have been developed in consultation with the Commission for Agricultural Excellence and the Department of Health.

1. *Program objective.*

The purpose of the Program is to educate prekindergartners through eighth graders and their families about the importance of choosing healthy, locally produced foods and increase awareness of agriculture in this Commonwealth. This initiative will also aid farmers in this Commonwealth in gaining access to new markets within this Commonwealth.

2. *Eligible applicants and projects.*

(a) *Eligible applicants.* A school district, school, charter school, private school or center with prekindergarten classes, kindergarten classes, elementary classes or middle school classes through the eighth grade that participates in a Federal child nutrition program may submit an application to the Department for funding a program.

(b) *Eligible projects.* Grants will be awarded to develop the Program in this Commonwealth. Eligible projects are those that do all of the following:

(1) Educate prekindergartners through eighth graders and their families about the importance of choosing healthy, locally produced foods and increase awareness of agriculture in this Commonwealth.

(2) Achieve one or more of the following objectives of the Program:

(i) Nutrition education involving student participation which is integrated into regular subjects in the curriculum of primary and secondary education institutions.

(ii) Focusing on locally grown foods provided from farms in this Commonwealth.

(iii) Equipping teachers and other educators to incorporate nutrition and agriculture education into their instruction.

(iv) Providing for new direct marketing opportunities for farmers in this Commonwealth.

(v) Providing for family and community involvement, including parent, caregiver and community group participation in education activities.

(vi) Visits to nearby farms for school children so they may understand and learn more about the sources of their food.

(3) Contain one or more of the following elements:

(i) The procurement of food and food products, or food-producing plants, from a farm in this Commonwealth.

(ii) Nutrition and agriculture education, including integration into regular classroom subjects.

(iii) Training of teachers, cafeteria staff and other educational staff on nutrition and agriculture education.

(iv) The inclusion of parents, caregivers and community groups in educational activities.

(v) Field trips to farms in this Commonwealth or other direct agricultural educational experiences which teach children about sources of food and agriculture in this Commonwealth.

(vi) Provision for reimbursement of up to 75% of the costs for purchasing locally grown foods provided from farms in this Commonwealth and foods purchased directly from farmers in this Commonwealth to meet the objectives set forth in paragraph (2)(ii) and (iv).

(vii) An eligible applicant may use a grant to establish a school garden or pollinator habitat.

3. Definitions.

The following words and terms have the following meanings:

“Department.” The Department of Agriculture of the Commonwealth.

“Program.” The Farm-to-School Program.

“Secretary.” The Secretary of the Department.

4. Limitations on grants.

(a) *Total funds available.* The Department intends to make up to \$500,000 available for grants under the Program for Fiscal Year 2023-2024. Grant funds will be awarded on a funds-available basis. The Department need not expend all the funds that are available for the Program.

(b) *Project duration.* A project must have a completion date of no later than June 30, 2025.

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

(d) *Percentage cap.* A single grant shall be limited to 75% of the cost of the project identified in the grant application.

(e) *Per-school cap.* Grant amounts shall not exceed \$15,000 annually, per school.

(f) *In-kind support.* Grant recipients may use the value of in-kind support to match the amount granted.

(g) *Additional restrictions.* The Secretary may impose additional restrictions or special conditions upon the issuance of a grant.

5. Applications.

(a) *Electronic applications only.* Interested applicants must submit a complete grant application using the Department of Community and Economic Development's Electronic Single Application web site at www.esa.dced.state.pa.us.

(b) *Application content.* The application shall require the applicant to explain how the project for which grant funds are sought is an eligible project as described in section 2(b) and other information as the Department may reasonably require.

(c) *Application window.* Completed applications may be electronically submitted beginning April 3, 2023. Applications must be received by no later than 5 p.m. on May 19, 2023.

6. *Review of application.* The Secretary will review and evaluate applications and supporting documents for completeness, and will evaluate applications based on the following considerations:

(1) The ability of the applicant to complete the Program.

(2) The ability of the applicant to incorporate all of the Program requirements under section 10904(c) of the act.

(3) The location of the school in an area where a high percentage of the children are eligible to receive free or reduced-price school meals.

(4) The potential of the Program to increase knowledge about nutrition and healthy eating habits for the children, their caregivers and the community.

(5) The potential of the Program to increase knowledge about agriculture in this Commonwealth for the children, their caregivers and the community.

(6) The ability of the applicant to procure foods in this Commonwealth and products or plants for the applicant's program.

(7) The potential of the Program to increase markets for agricultural producers in this Commonwealth.

(8) The number of people who will be served by the Program.

(9) The ability of the applicant to sustain the Program.

(10) The overall performance of the applicant if a grant was received in a previous year.

7. Notice of disposition of application.

The Department will provide an applicant written notice (by regular mail or e-mail) of the acceptance or rejection of a grant application.

8. Grant agreement.

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

9. Verification of project completion.

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

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

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

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

10. *Questions and additional information.*

Questions regarding this Program, including the online application process may be directed to Patrick Andrews, Bureau of Market Development, Department of Agriculture, 2301 North Cameron Street, Room 310, Harrisburg, PA 17110-9408, (717) 772-1429, RA-AGFARMTOSCHOOL@pa.gov.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 23-430. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Referendum Order on a Proposed Amendment to the Pennsylvania Potato Research Program

A referendum will be held to vote on a recommended increase to the Pennsylvania Potato Research Program (Program) assessment fee from \$8 to \$10 per acre, effective in calendar year 2024. No hearing is scheduled for this referendum unless a producer member requests one in writing. To request a hearing, notify Patrick Andrews, in writing, at the Department of Agriculture, Bureau of Market Development, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110 within 7 days of the signed date of this referendum.

I. The Program was established under the provisions of the act of March 24, 1998 (P.L. 217, No. 39) known as the Agricultural Commodities Marketing Act (act) (3 Pa.C.S. §§ 4501—4513). The act requires that the Secretary of Agriculture (Secretary) call a referendum of affected producers any time there is a proposed change to the Program order. The referendum to be held for the Pro-

gram will determine whether a majority of those voting and majority of production volume (by acreage) of those voting want the requested assessment increase.

II. *Referendum Period:* The referendum period shall be May 30, 2023, until 4 p.m. on June 29, 2023. Completed ballots must be mailed or hand-delivered to the Department of Agriculture, Bureau of Market Development, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110. Hand-delivered ballots must be received by 4 p.m. on June 29, 2023. Ballots that are mailed must be postmarked no later than June 29, 2023, and received no later than July 13, 2023. Ballots must be signed in order to be counted. Ballots that have not clearly been timely cast will not be counted.

III. *Notice of Referendum:* This amendment referendum order and an official ballot shall be mailed no later than May 18, 2023, to all affected producers whose names appear on the list of potato growers in this Commonwealth maintained in the Office of the Secretary. Additional copies of the same materials will be made available at the Office of the Secretary.

IV. *Eligible Voters:* The rules governing the eligibility of a producer for voting are as follows: The record date for determination of whether a producer is eligible to vote is May 18, 2023. All potato producers who grow 5 or more acres of potatoes for sale are eligible to vote on the referendum.

V. *Counting of Ballots:* The ballots will be canvassed and counted by a Teller Committee appointed by the Secretary. The counting of the ballots will begin at 10 a.m., Friday, July 14, 2023, at the Department of Agriculture Building, Harrisburg, PA. The Secretary will announce the results of the referendum within 30 days following the completion of the referendum. The results will be published in the *Pennsylvania Bulletin* and Harrisburg *Patriot-News*, and disseminated to the news media.

VI. *Reporting Irregularities:* Any irregularities or disputes concerning the referendum procedures must be reported in writing to the Secretary not later than 7 calendar days from the end of the referendum.

VII. *Publication:* This referendum order shall be published in the *Pennsylvania Bulletin* and the Harrisburg *Patriot-News*.

VIII. *Effective Date:* The foregoing order is effective immediately.

RUSSELL REDDING,
Secretary

[Pa.B. Doc. No. 23-431. Filed for public inspection March 31, 2023, 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 21, 2023.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of

the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
03-20-2023	The Cincinnati Insurance Company Fairfield Butler County, OH	Approved
	Application for approval to acquire up to 16% of the Perpetual, Non-Cumulative, Convertible Preferred Stock, Series A, of Republic First Bancorp, Inc., Philadelphia, PA, and thereby indirectly acquire 10% or more of the ownership of the nonvoting Series A Preferred Stock of Republic First Bank, Philadelphia, PA.	

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
03-20-2023	Princeton Bancorp, Inc. and Bank of Princeton Princeton Mercer County, NJ	Approved
	Application for approval to acquire 100% of Noah Bank, Elkins Park, PA.	

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
03-20-2023	Noah Bank Elkins Park Montgomery County	Approved
	Application for approval to merge TBOP Acquisition Company, a wholly-owned subsidiary of The Bank of Princeton, Princeton, NJ, with and into Noah Bank, Elkins Park, PA.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-06-2023	First Bank Hamilton Mercer County, NJ	849 Paoli Pike West Chester Chester County, PA	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-17-2023	Somerset Trust Company Somerset Somerset County	<i>To:</i> 964 Barn Street Hooversville Somerset County <i>From:</i> 803 Barn Street Hooversville Somerset County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-03-2023	First Bank Hamilton Mercer County, NJ	121 North Walnut Street West Chester Chester County, PA	Closed
03-10-2023	Fleetwood Bank Fleetwood Berks County	216 East Philadelphia Avenue Boyertown Berks County	Closed

CREDIT UNIONS

No activity.

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

SARAH HAMMER,
Acting Secretary

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Moses Construction, Inc. et al. v. Commonwealth of Pennsylvania, Department of Community and Economic Development, Doc. No. DCED-2021-0007—2021-0011

On January 22, 2021, Petitioner Moses Construction, Inc. filed an appeal of a denial of an application for benefits under the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act (act) (73 P.S. §§ 820.101—820.1310). On January 22, 2021, Petitioner AAA Demo Recycling, Inc. filed an appeal of a denial of an application for benefits under the act. On January 22, 2021, Petitioner Philly Class A Demo, Inc. filed an appeal of a denial of an application for benefits under the act. On January 22, 2021, Petitioner 101111-45 Sandmeyer LN, LLC filed an appeal of a denial of an application for benefits under the act. On January 22, 2021, Petitioner

Philadelphia Water Logs, LLC filed an appeal of a denial of an application for benefits under the act. The cases have been consolidated upon appeal.

Notice

A hearing will be conducted before the Department of State's Chief Hearing Examiner, Debra A. Rand, Esquire, at 9:30 a.m. on April 12, 2023, by means of a videoconference. Members of the public who wish to attend the hearing may connect by means of Microsoft Teams at <http://bit.ly/3yVjwor> or by phone at (267) 332-8737. The conference PIN is 423 782 075#. For additional information contact the Department of State's prothonotary at (717) 772-2686. The hearing will be conducted in accordance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

RICK SIGER,
Acting Secretary

[Pa.B. Doc. No. 23-433. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

Section Category

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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 DEP for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP’s tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

Section III identifies individual NPDES permit applications received and draft permits indicating DEP’s tentative determination relating to stormwater discharges associated with construction activities. A 30-day public comment period applies to these applications and draft permits. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Additional information may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice.

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 DEP determines that there is a significant public interest. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. DEP will postpone its final determination until after a public hearing is held.

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0113816	Joint DEP/PFBC Pesticides Permit	Renewal	Oakside Park c/o Upper Adams Jaycees P.O. Box 38 Biglerville, PA 17307-0038	Butler Township Adams County	SCRO

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<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>
0620802	Joint DEP/PFBC Pesticides Permit	Renewal	Zintak Priscilla 1104 Thrush Road Wyomissing, PA 19610-2546	Wyomissing Borough Berks County	SCRO
1518817	Joint DEP/PFBC Pesticides Permit	Renewal	Highlands HOA 501 West Office Center Drive Suite 220 Ft. Washington, PA 19034	Easttown Township Chester County	SERO
2313807	Joint DEP/PFBC Pesticides Permit	Renewal	Fair Acres Geriatric Center P.O. Box 496 340 North Middletown Road Media, PA 19063-0496	Middletown Township Delaware County	SERO
2313830	Joint DEP/PFBC Pesticides Permit	Renewal	Piasecki Vivian 26 Tunbridge Road Haverford, PA 19041-1038	Haverford Township Delaware County	SERO
4613816	Joint DEP/PFBC Pesticides Permit	Renewal	Rydal Green c/o Galman Group 261 Old York Road Suite 10 Jenkintown, PA 19046-3726	Abington Township Montgomery County	SERO
4623802	Joint DEP/PFBC Pesticides Permit	New	KRE Construction 450 Sentry Parkway Blue Bell, PA 19422	Whitpain Township Montgomery County	SERO
PA0055328	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Amendment Minor	New Morgan Landfill Co. Inc. P.O. Box 128 420 Quarry Road Morgantown, PA 19543-0128	New Morgan Borough Berks County	SCRO
1600403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Kalyumet Campground LLC 716 Waverly Street Unit A Houston, TX 77007-1407	Highland Township Clarion County	NWRO
2670409	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Mt Pleasant MHP LLC 600 Laurelview Drive Mt Pleasant, PA 15666	Bullskin Township Fayette County	SWRO
NOEXNE051	No Exposure Certification	New	American Bottling Co. 2109 City Line Road Bethlehem, PA 18017-2127	Bethlehem City Lehigh County	NERO
NOEXSW016	No Exposure Certification	Renewal	All Foreign Auto Parts LLC 6375 A.V.R.R. Pittsburgh, PA 15201	Pittsburgh City Allegheny County	SWRO
PAG030090	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Mittal Metal Proc LLC 2320 Big Oak Road Langhorne, PA 19047	Middletown Township Bucks County	SERO
PAG030091	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Simmons Animal Nutrition Inc. 601 North Hico Street Siloam Springs, AR 72761-2410	Quakertown Borough Bucks County	SERO
PAG030140	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lane Enterprises Inc. 3905 Hartzdale Drive Suite 514 Camp Hill, PA 17011-7837	Upper Merion Township Montgomery County	SERO
PAG030143	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Henkel & McCoy Inc. 985 Jolly Road Blue Bell, PA 19422-1903	Whitpain Township Montgomery County	SERO

<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>
PAG030144	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	MLC Acquisitions 1001 Boot Road Downingtown, PA 19335-4001	East Caln Township Chester County	SERO
PAG030147	PAG-03 NPDES General Permit for Industrial Stormwater	New	Old Dominion Freight Line Inc. 500 Old Dominion Way Thomasville, NC 27360-8923	Upper Providence Township Montgomery County	SERO
PAG030154	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Waste Management of PA Inc. 1224 Hayes Boulevard Bristol, PA 19007-2913	Bristol Township Bucks County	SERO
PAG030156	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Waste Management of PA Inc. 1224 Hayes Boulevard Bristol, PA 19007-2913	Bristol Township Bucks County	SERO
PAG032213	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Moxie Freedom LLC dba Caithness Moxie Freedom 960 Holmdel Road Building II Holmdel, NJ 07733-2138	Salem Township Luzerne County	NERO
PAG032219	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Dober Chemical Corp 11230 Katherines Crossing Woodridge, IL 60517-5127	Hazle Township Luzerne County	NERO
PAG032236	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Tredegar Film Products Inc. 30 Maple Avenue Pottsville, PA 17901-9137	Norwegian Township Schuylkill County	NERO
PAG032245	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Berry Global Films LLC 20 Elmwood Avenue Mountain Top, PA 18707-2100	Wright Township Luzerne County	NERO
PAG032266	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Old Dominion Freight Lines 500 Old Dominion Way Thomasville, NC 27360-8923	Pittston City Luzerne County	NERO
PAG032289	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Castek Inc. 20 Jones Street New Rochelle, NY 10801-6000	Salem Township Luzerne County	NERO
PAG032303	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Waste Management of PA Inc. 13 Peggy Parkway Dunmore, PA 18512-1712	Dunmore Borough Lackawanna County	NERO
PAG032304	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Effort Foundry Inc. 6980 Chrisphalt Drive Bath, PA 18014-8505	East Allen Township Northampton County	NERO
PAG032305	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Duryea Auto Parts 825 N Main Street Duryea, PA 18642-1241	Duryea Borough Luzerne County	NERO
PAG032306	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Koller Concrete Inc. 900 Marshall Street Bethlehem, PA 18017-7035	Bethlehem City Northampton County	NERO
PAG032307	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Versum Materials US LLC 357 Marian Avenue Tamaqua, PA 18252-4762	Rush Township Schuylkill County	NERO

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<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>
PAG032308	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	HYK Const Corp 430 Bridge Street Collegeville, PA 19426-3512	Coopersburg Borough Lehigh County	NERO
PAG032309	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Gentex Corp P.O. Box 315 Carbondale, PA 18407-0315	Fell Township Lackawanna County	NERO
PAG033535	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Modlogiq Inc. 191 Quality Circle New Holland, PA 17557-9007	Earl Township Lancaster County	SCRO
PAG033538	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Central Transport LLC 12225 Stephens Road Warren, MI 48089-2010	Lower Allen Township Cumberland County	SCRO
PAG033557	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wenger Feeds LLC 101 West Harrisburg Avenue P.O. Box 26 Rheems, PA 17570-0026	West Hempfield Township Lancaster County	SCRO
PAG033656	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Old Dominion Freight Line Inc. 500 Old Dominion Way Thomasville, NC 27360-8923	Reading City Berks County	SCRO
PAG033659	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wenger Feeds LLC 101 W Harrisburg Avenue P.O. Box 26 Rheems, PA 17570-0026	Martinsburg Borough Blair County	SCRO
PAG033699	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wenger Feeds LLC 101 West Harrisburg Avenue P.O. Box 26 Rheems, PA 17570-0026	Mount Joy Township Lancaster County	SCRO
PAG033700	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Joe Krentzman & Son Inc. P.O. Box 508 Lewistown, PA 17044-0508	Decatur Township Mifflin County	SCRO
PAG033711	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Skyline Corp 755 W Big Beaver Road Troy, MI 48084-4900	Upper Leacock Township Lancaster County	SCRO
PAG033713	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	WR Meadows Inc. 2150 Monroe Street York, PA 17404-5568	West Manchester Township York County	SCRO
PAG033714	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wenger Feeds LLC 101 West Harrisburg Avenue P.O. Box 26 Rheems, PA 17570-0026	Lykens Township Dauphin County	SCRO
PAG033725	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wenger Feeds LLC 101 West Harrisburg Avenue P.O. Box 26 Rheems, PA 17570-0026	Mount Joy Borough Lancaster County	SCRO
PAG033726	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wenger Feeds LLC 101 West Harrisburg Avenue P.O. Box 26 Rheems, PA 17570-0026	West Donegal Township Lancaster County	SCRO
PAG033727	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Joe Krentzman & Son Inc. 311 Wall Street Hollidaysburg, PA 16648-1635	Hollidaysburg Borough Blair 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>
PAG033728	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Stuck Enterprises 1115 E High Street Waynesburg, PA 15370-1785	Snake Spring Township Bedford County	SCRO
PAG033730	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	WER Corp dba Alum Alloys 4601 W Penn Avenue Sinking Spring, PA 19608	Lower Heidelberg Township Berks County	SCRO
PAG034842	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Waste Management of PA Inc. 2560 Clyde Avenue State College, PA 16801-7507	College Township Centre County	NCRO
PAG034851	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Gas Field Specialists Inc. P.O. Box 697 2107 State Route 44 S Shinglehouse, PA 16748-0697	Dunnstable Township Clinton County	NCRO
PAG034854	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cudd Energy Service 4 Girtton Drive Muncy, PA 17756-6389	Clinton Township Lycoming County	NCRO
PAG034858	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Sunbury Generation LP P.O. Box 517 2384 North Old Trail Road Shamokin Dam, PA 17876-0517	Monroe Township Snyder County	NCRO
PAG034859	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fort Worth Pipe Savage Service 60 Dominic Place Industrial Parkway Sayre, PA 18840	Sayre Borough Bradford County	NCRO
PAG034871	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wenger Feeds LLC P.O. Box 26 101 W Harrisburg Avenue Rheems, PA 17570-0026	Benton Township Columbia County	NCRO
PAG034904	PAG-03 NPDES General Permit for Industrial Stormwater	New	Harmony Gas Oil & Coal LLC 437 Northern Potter Road Ulysses, PA 16948-9571	Bingham Township Potter County	NCRO
PAG034905	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Helmerich & Payne International Drilling Co. 460 S Drive M Roper Parkway Bullard, TX 75757	Boggs Township Centre County	NCRO
PAG034907	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fort Worth Pipe Services LP 650 Rail Terminal Drive Dubois, PA 15801-3931	Sandy Township Clearfield County	NCRO
PAG034910	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Sheetz Inc. 5700 6th Avenue Altoona, PA 16602-1111	Sandy Township Clearfield County	NCRO
PAG034914	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Milton Steel Co. 6 Canal Street Milton, PA 17847-1515	Milton Borough Northumberland County	NCRO
PAG034917	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Robert Twigg 4867 US Highway 15 Montgomery, PA 17752-9035	Montgomery Borough Lycoming County	NCRO
PAG034918	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Natalies Auto Recycling 1920 Henderson Street Houtzdale, PA 16651-8727	Woodward Township Clearfield County	NCRO

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<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>
PAG034920	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Frito-Lay Inc. 7701 Legacy Drive Plano, TX 75024-4002	Old Lycoming Township Lycoming County	NCRO
PAG034926	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Muncy Homes Inc. 1567 Route 442 Highway Muncy, PA 17756-6853	Muncy Creek Township Lycoming County	NCRO
PAG036116	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Sunoco Pipeline LP 5733 Butler Street Pittsburgh, PA 15201-2115	Brighton Township Beaver County	SWRO
PAG036122	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cronimet Corp 1 Pilarsky Way Aliquippa, PA 15001-5421	Aliquippa City Beaver County	SWRO
PAG036152	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Covestro LLC 1 Covestro Circle Pittsburgh, PA 15205-9723	Robinson Township Allegheny County	SWRO
PAG036173	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Henwil Corp 899 Third Street Newell, PA 15466	Newell Borough Fayette County	SWRO
PAG036204	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Energy Transfer Market & Terminal LP 5733 Butler Street Pittsburgh, PA 15201-2115	Pittsburgh City Allegheny County	SWRO
PAG036237	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ritchey Metals Co. Inc. 30 Georgetown Road Canonsburg, PA 15317-5713	Cecil Township Washington County	SWRO
PAG036243	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Boyd Roll Off Service Inc. 1107 Thompson Avenue McKees Rocks, PA 15136	McKees Rocks Borough Allegheny County	SWRO
PAG036256	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Vanport Holdings LLC 807 Blackburn Road Sewickley, PA 15143-1490	Vanport Township Beaver County	SWRO
PAG036280	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Woehler Landscape Supply Yard at 202 LLC 1357 Streets Run Road Pittsburgh, PA 15236-2232	Peters Township Washington County	SWRO
PAG036303	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	North Central Proc Inc. P.O. Box 93941 Cleveland, OH 44101-5941	Jefferson Hills Borough Allegheny County	SWRO
PAG036345	PAG-03 NPDES General Permit for Industrial Stormwater	New	Technimark LLC 149 Devereux Drive Latrobe, PA 15650-2662	Latrobe Borough Westmoreland County	SWRO
PAG036347	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Latrobe Foundry Mach & Supply Co. P.O. Box 431 Latrobe, PA 15650-0431	Unity Township Westmoreland County	SWRO
PAG036348	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Rinker Materials 2000 Gregg Station Road Oakdale, PA 15071-3059	North Fayette Township Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG036349	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Westmoreland Sanitary Landfill LLC 111 Conner Lane Belle Vernon, PA 15012-4569	Rostraver Township Westmoreland County	SWRO
PAG036350	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	UPS Inc. 2450 Rathmell Road Obetz, OH 43207-4582	Rochester Township Beaver County	SWRO
PAG036353	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Appalachian Water Service LLC 195 Enterprise Lane Connellsville, PA 15425-6617	Masontown Borough Fayette County	SWRO
PAG036354	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Altium Pkg LLC 601 Seldon Avenue Verona, PA 15147-1434	Verona Borough Allegheny County	SWRO
PAG036356	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	All Clad Metalcrafters LLC 424 Morganza Road Canonsburg, PA 15317-5716	Cecil Township Washington County	SWRO
PAG036357	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hoyles Auto Salvage Inc. 483 Clarksville Road Clarksville, PA 15322-7399	Jefferson Township Greene County	SWRO
PAG038419	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Venango County 1174 Elk Street 2nd Floor Courthouse Annex Franklin, PA 16323	Franklin City Venango County	NWRO
PAG038420	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	James Austin Co. P.O. Box 827 Mars, PA 16046-0827	Adams Township Butler County	NWRO
PAG038421	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lane Enterprises Inc. 3905 Hartzdale Drive Camp Hill, PA 17011-7837	Pulaski Township Lawrence County	NWRO
PAG038423	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Waste Management of PA Inc. 18380 Paint Boulevard Shippenville, PA 16254-4130	Paint Township Clarion County	NWRO
PAR202251	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Effort Foundry Inc. 6980 Chrisphalt Drive Bath, PA 18014-8505	East Allen Township Northampton County	NERO
PAR602241	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Duryea Auto Parts 825 N Main Street Duryea, PA 18642-1241	Duryea Borough Luzerne County	NERO
PAR802258	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Waste Management of PA Inc. 13 Peggy Parkway Dunmore, PA 18512-1712	Dunmore Borough Lackawanna County	NERO
PAG044902	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Prichard Jeffrey W 275 Quarry Drive Bloomsburg, PA 17815-9538	Montour Township Columbia County	NCRO
PAG100053	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	Constellation Energy Generation LLC # 1 Industrial Highway Eddystone, PA 19022	Falls Township Bucks County	SERO

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<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>
PAG123645	PAG-12 NPDES General Permit for CAFOs	Transfer	Matrin Nathan 134 Roland Road East Berlin, PA 17316-9552	Conewago Township York County	SCRO
PAG123709	PAG-12 NPDES General Permit for CAFOs	Amendment	Hoover Phillip 2862 Harvest Road Elizabethtown, PA 17022-9676	Mount Joy Township Lancaster County	SCRO
PAG136392	PAG-13 NPDES General Permit for MS4s	Renewal	Franklin Township Fayette County 353 Town Country Road Vanderbilt, PA 15486-1227	Franklin Township Fayette County	SWRO
PAG136402	PAG-13 NPDES General Permit for MS4s	Renewal	Twilight Borough Washington County 8 Chestnut Road Charleroi, PA 15022-2607	Twilight Borough Washington County	SWRO
PA0233153	Single Residence STP Individual NPDES Permit	Transfer	Emily K & Tyler J Mankey 220 Norwood Drive Williamsport, PA 17701-9671	Hepburn Township Lycoming County	NCRO
PA0267317	Single Residence STP Individual NPDES Permit	Transfer	Williamson Donna L 388 Hollen Road Tyrone, PA 16686-7316	Antis Township Blair County	SCRO
PA0290050	Single Residence STP Individual NPDES Permit	Transfer	Palazzi Robert 3950 Palm Avenue Micco, FL 32976-8006	Eldred Township McKean County	NWRO
0720404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Williamson Donna L 388 Hollen Road Tyrone, PA 16686-7316	Antis Township Blair County	SCRO
1978403	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Prichard Jeffrey W 275 Quarry Drive Bloomsburg, PA 17815-9538	Montour Township Columbia County	NCRO
2523407	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Tipton Kyle 9300 Crossingville Road Albion, PA 16401-8916	Elk Creek Township Erie County	NWRO
2895403	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Homer Roger H 296 Hemlock Hill Drive Austin, PA 16720-4734	Fannett Township Franklin County	SCRO
4121405	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Emily K & Tyler J Mankey 220 Norwood Drive Williamsport, PA 17701-9671	Hepburn Township Lycoming County	NCRO
4221404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Palazzi Robert 3950 Palm Avenue Micco, FL 32976-8006	Eldred Township McKean County	NWRO
3822401	Small Flow Treatment Facility Individual WQM Permit	New	Scott Allison 10575 Allentown Boulevard Annville, PA 17003-8417	East Hanover Township Lebanon 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.

Northcentral Regional Office

PA0232882, Storm Water, SIC Code 4789, **Glenn O Hawbaker Inc.**, 1952 Waddle Road, Suite 203, State College, PA 16803-1649. Facility Name: Pleasant Gap Rail Facility. This existing facility is located in Spring Township, **Centre County**.

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

The receiving stream(s), Unnamed Tributary to Gap Run (CWF, MF), is located in State Water Plan watershed 9-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001—003—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Daily Maximum	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
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 004 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	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater BMPs

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.

Northeast Regional Office

PAI132206, MS4, **Palmer Township Northampton County**, 3 Weller Place, Palmer, PA 18045-1975.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Palmer Township, **Northampton County**. The receiving streams, Lehigh River (WWF, MF), Bushkill Creek (HQ-CWF, MF), and Shoeneck Creek (WWF, MF), are located in State Water Plan watershed 1-F and 2-C and are classified for High Quality—Cold Water, Migratory Fish, Warm Water Fishes, and Migratory Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

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

Southeast Regional Office

PA0245437, Sewage, SIC Code 8811, **Spencer Brian**, 51 Smith Road, Pottstown, PA 19464-3319. Facility Name: Spencer Residence. This proposed facility is located in Limerick Township, **Montgomery 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), Hartenstine Creek (WWF, MF), is located in State Water Plan watershed 3-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

- Installation of a nitrogen-reducing treatment component is required.
- The system must meet NSF 245 Criteria.

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.

Southeast Regional Office

PAI130080, MS4, **Cheltenham Township, Montgomery County**, 8230 Old York Road, Elkins Park, PA 19027-1514.

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

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

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

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

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

Southwest Regional Office

PA0096211, Sewage, SIC Code 4952, **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672. Facility Name: Darragh STP. This existing facility is located in Hempfield Township, **Westmoreland County**.

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

The receiving stream(s), Little Sewickley Creek (TSF), is located in State Water Plan watershed 19-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.12 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	6.0 Daily Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	233.5	355.0	XXX	25.0	38.0	50
May 1 - Oct 31	140.1	214.8	XXX	15.0	23.0	30
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	280.2	420.3	XXX	30.0	45.0	60

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	56.0	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	18.68	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of 1.12 MGD.—Limits.

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

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

- Optimization of chlorine dosage
- Notification of designation of responsible operator
- Observable change
- POTW Pretreatment Program implementation
- Solids management for non-lagoon system
- WET without limits
- Stormwater requirements for major sewage

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

The EPA Waiver is not in effect.

Southwest Regional Office

PA0285021, Sewage, SIC Code 8800, **Paul Becker**, 101 Greensboro Lane, Pittsburgh, PA 15220. Facility Name: Becker Properties SRSTP. This proposed facility is located in Marion Township, **Beaver County**.

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

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

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

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

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
Total Phosphorus	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	XXX	XXX

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0285048, Sewage, SIC Code 8800, **Jaclin & Bryan Spiewak**, 241 Darr Road, Rostraver Township, PA 15012-3303. Facility Name: Spiewak Properties SRSTP. This proposed facility is located in Rostraver Township, **Westmoreland 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 of Youghiogheny River, is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

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

Southcentral Regional Office

Applicant: **M&G Realty, Inc.**

Applicant Address: 2295 Susquehanna Trail, Suite C, York, PA 17404

Application Number: **PAD310013**

Application Type: New

Municipality/County: Smithfield Township, **Huntingdon County**

Total Earth Disturbance Area (acres): 7.03 acres

Surface Waters Receiving Stormwater Discharges: An unnamed tributary (UNT) to the Juniata River (WWF, MF) via wetlands. The wetlands are protected as "other" wetlands as identified in 25 Pa. Code § 105.17(2). The proposed stormwater discharges will be conveyed from the site's best management practices to the surface waters of the Commonwealth, generally along the western side of the project site. The best management practices and proposed discharge locations can be viewed at the project's DEP webpage at <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Community%20Information/Pages/Smithfield-Township-Rutter%E2%80%99s-93.aspx>.

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Control (E&S) Plan and a Post-Construction Stormwater Management (PCSM) Plan and compliance with Federal technology-based effluent standards at 40 CFR Part 450.

Rate or Frequency of Discharge: Stormwater discharges during and following earth disturbance activities are precipitation-induced and will vary depending on factors such as the area of impervious surfaces, the size and placement of best management practices (BMPs) and the intensity of precipitation.

Project Description: Proposed construction of a Rutter’s convenience store/gas station along with parking lot, utilities and site improvements including turning lanes, stormwater management facilities, and utility services which include off-site sewer and water extensions

Special Conditions: Effluent limitations and rate or frequency of the discharges: Upon issuance of the permit, compliance is required with the narrative based effluent limitations as identified in the Erosion and Sediment Control Plan and Post-Construction Stormwater Management Plan and in accordance with 25 Pa. Code Chapter 102. Rate of discharges as identified in the application and in accordance with 25 Pa. Code Chapter 102. The Department of Environmental Protection (DEP) has made a tentative determination to issue an Individual NPDES Permit to the previously named applicant. Interested persons may submit written comments to DEP at the previously listed address or e-mail address for DEP’s consideration in taking a final action on the permit application. Written comments for this application and draft permit will be accepted through May 18, 2023. The DEP has already received written public comments and requests for DEP to hold a public hearing. DEP will hold a public hearing on DEP’s tentative determination to issue NPDES Permit No. PAD310013 and the draft permit on May 3, 2023. A public notice of the May 3, 2023 public hearing with more details about the public hearing has been published in this edition, the April 1, 2023 *Pennsylvania Bulletin* (pacodeandbulletin.gov). You may also review the permit application file, draft permit, and Fact Sheet by contacting DEP’s File Review Coordinator at 717-705-4732 or by visiting the DEP Southcentral Regional Office website at <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Community%20Information/Pages/default.aspx>.

You may review the permit application file by contacting DEP’s File Review Coordinator at 717-705-4732.

STATE CONSERVATION COMMISSION

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

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

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

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

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

**ACT 38
NUTRIENT MANAGEMENT PLANS**

CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
David Brenize 7201 Sunset Rd Newburg, PA 17240	Franklin County	0	355.4	Turkey	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

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

Individuals wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30-days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should

include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (DEP) the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

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

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

Application No. 5222503, Construction, Public Water Supply.

Applicant **Milford Professional Park**
 Address P.O. Box 531
 Tannersville, PA 18372
 Municipality Dingman Township
 County **Pike County**
 Responsible Official Robert Hackenberg
 P.O. Box 531
 Tannersville, PA 18372
 Consulting Engineer Brian C. Bonner, PE
 ARM Group, LLC
 2548 Park Center Blvd.
 State College, PA 16803
 Application Received October 6, 2022
 Description The applicant proposes to add greensand filtration to remove iron and manganese.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epswwd@pa.gov.

Application No. 3023501, Construction/Operation, Public Water Supply.

Applicant **East Dunkard Water Authority**
 Address 2790 South Eighty-Eight Road
 Dilliner, PA 15327
 Municipality Dunkard Township
 County **Greene County**
 Responsible Official Theresa Helton
 General Manager
 2790 South Eighty-Eight Road
 Dilliner, PA 15327
 Consulting Engineer The EADS Group, Inc.
 11045 Parker Drive
 North Huntingdon, PA 15642
 Application Received March 3, 2023

Description Application for the utilization of a new source which is an interconnection with Southwestern Pennsylvania Water Authority at Sugar Grove.
Application No. 0223502, Construction, Public Water Supply.
 Applicant **Pittsburgh Water and Sewer Authority**
 Address Penn Liberty
 Plaza 1
 1200 Penn Avenue
 Pittsburgh, PA 15222
 Municipality City of Pittsburgh
 County **Allegheny County**
 Responsible Official William J. Pickering
 Chief Executive Officer
 Penn Liberty
 Plaza 1
 1200 Penn Avenue
 Pittsburgh, PA 15222
 Application Received February 23, 2023
 Description Application for the installation of three ultrasonic buoys for algae control in PWSA's sedimentation basins.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 1

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

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

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific

standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified individual, as the 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 plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

The DEP has received the following Notice(s) of Intent to Remediate.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: William Pelc, Geologic Specialist, 814-332-6671.

Duffy, Inc., Primary Facility ID # **865271**, 1 Delta Drive, Smethport, PA 16749, Smethport Borough, **McKean County**. Cribby & Associates, Inc., P.O. Box 44, Delmont, PA 15626 on behalf of Heath Oil, P.O. Box 1128, Oil City, PA 16301, submitted a Notice of Intent to Remediate. The property is owned by Duffy Inc. who leased a portion of their property to Michaels Pipeline Construction Company for use as a laydown yard. Michaels brought in a temporary AST for fueling construction equipment with off-road diesel fuel. The AST was placed on plastic inside concrete berms creating a secondary containment for the fueling system. During the delivery of diesel fuel by Heath Oil, on July 8, 2021, a coupling was not fully engaged causing the release of approximately 26 gallons of diesel into both the secondary containment and outside the secondary containment area onto a hard packed parking area and roadway. Incident Response and Mitigation Services, LLC (IRM) was brought in between July 8, 2021 and July 14, 2021 to recover the spilled diesel fuel. An estimated 15 gallons of diesel fuel was recovered from the secondary containment. IRM also excavated approximately 35.79 tons of contaminated soil from an excavation roughly 30 ft. by 20 ft. with an average depth of 30 inches. The analytical results for the two IRM post remediation soil samples indicated that none of the parameters were detected at concentrations exceeding their laboratory method detection limit or residential used aquifer (RU) statewide health standard (SHS) medium specific concentrations (MSCs). The impacted soil was shipped to Chautauqua Co. landfill in New York. IRM also shipped 560 gallons of recovered diesel fuel and impacted water to Danco Industries in Harrisville, PA (Heath Oil bulk oil facility in Barkeyville) for treatment. This property will continue to be used for commercial purposes by Duffy Inc. to support their landscaping and excavating services. The Notice of Intent to Remediate was published in *Bradford Era* on February 8, 2023. Application received: March 14, 2023.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager.

WMGR123SW063, Range Resources—Appalachia, LLC, 3000 Town Center Blvd, Canonsburg, PA 15317, Buffalo Township, **Washington County**. An application for coverage under General Permit No. WMGR123 for the processing, transfer and beneficial use of oil and gas liquid waste to develop or hydraulically fracture an oil or gas well at the Leavitt Bruce Tank Pad located at 2800 South Bridge Road, Washington, PA 15301. Application received: December 13, 2022. Deemed administratively complete: March 17, 2023.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@pa.gov, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

WMGR123SW064, Environmental Energy Solutions, LLC, 1380 Route 286 Highway E, Indiana, PA 15701, Franklin Township, **Greene County**. An application for coverage under General Permit No. WMGR123 was received. The facility, located at 401 Jefferson Road, Waynesburg, PA 15370, currently treats oil and gas liquid waste for beneficial reuse at well sites under General Permit No. WMGR123SW010. Environmental Energy Solutions, LLC purchased the facility in July 2022 and is submitting a Determination of Applicability application for the issuance of a new permit. The application includes modifications for improved handling of solids from the treatment process. Application received: February 28, 2023. Deemed administratively complete: March 13, 2023.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@pa.gov, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northcentral Region: Waste Management Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Lisa D. Houser, P.E., Facilities Manager, 570 327-3740.

101323. The Municipal Authority of the City of Sunbury, 462 S. 4th Street, Sunbury, PA 17801, City of Sunbury, **Northumberland County**. Transfer Station Solid Waste Permit Renewal Application received: January 18, 2023.

Comments or questions concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, 570 327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

Northwest Region: Waste Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.

WMGM043NW003. Bert Klapac, Inc., 673 North Seneca Street, Oil City, PA 16301, Cornplanter Township, **Venango County**. Acceptance, transfer and processing prior to beneficial use of construction and demolition waste material. Application received: March 16, 2023. Deemed administratively complete: March 16, 2023.

Questions concerning the application should be directed to Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

HAZARDOUS WASTE TRANSPORTER LICENSE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.

Renewal Applications Received

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

Republic Environmental Systems (Transportation Group) LLC, 21 Church Road, Hatfield, PA 19440. **License No. PA-AH 0317.** Accepted: March 8, 2023.

Predator Trucking Company, P.O. Box 315, McDonald, OH 44437. **License No. PA-AH 0787.** Accepted: March 3, 2023.

AES Assest Acquisition Corporation d.b.a. American Transportation Services LLC (ATS), 933 First Avenue, King of Prussia, PA 19406. **License No. PA-AH 0825.** Accepted: March 2, 2023.

Wade Salvage, Inc., 382 Jackson Road, Atco, NJ 08004. **License No. PA-AH S246.** Accepted: March 3, 2023.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and Regulations to Transport Regulated Medical and Chemotherapeutic Waste License.

Renewal Applications Received

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

Daniels Sharpsmart, Inc., 111 W Jackson Boulevard, Chicago, IL 60604. **License No. PA-HC 0254.** Accepted: February 21, 2023.

Emergi-Clean, Inc., 207 Old York Road, Flemington, NJ 08822. **License No. PA-HC 0284.** Accepted: March 14, 2023.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

Individuals wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the DEP's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the

name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

PLAN APPROVALS

Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

47-00001I: Montour LLC, P.O. Box 128, Washingtonville, PA 17884, Derry Township, **Montour County**. Application received: February 24, 2023. The Department issued Plan Approval 47-00001G to Montour, LLC for the modification of the two utility boilers as well as auxiliary boiler 11A to add the capacity for these sources to combust natural gas at their Montour Steam Electric Station located in Derry Township, Montour County. Pursuant to Section C, Condition # 015 in Plan Approval 47-00001G, the permittee shall obtain 50.95 tons of VOC Emission Reduction Credits (ERCs) prior to the commencement of operation of any source modified under the plan approval to offset the total of the net increase in potential to emit. Additionally, on September 2, 2020, the Department issued Plan Approval 47-00001H for the construction of a 17-mile pipeline to deliver gas the facility which was aggregated with the modifications to

the facility's boilers as part of the same Gas Conversion Project. Section C, Condition # 003 in Plan Approval 47-00001H reiterates the requirement for the permittee to obtain 50.95 tons of VOC ERCs prior to the commencement of operation of any new or modified source included in the project. On February 24, 2023, the Department received a plan approval application (47-00001I) from Montour to incorporate 50.95 tons of VOC ERCs that have been purchased, generated via shutdown of sources at Bemis Industries in Luzerne County and GenOn Emissions' Titus and Portland Generating Stations in Berks and Northampton Counties, into a plan approval to document the transfer and use of the ERCs and make them Federally enforceable. The Department intends to issue Plan Approval 47-00001I to Montour, LLC to authorize the transfer and use of 50.95 tons of VOC ERCs for the Gas Conversion Project at the Montour Steam Electric Station. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-65-00839C: Texas Eastern Transmission, LP, P.O. Box 1642, Houston, TX 77251, Salem Township, **Westmoreland County**. Application received: March 22, 2022. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 65-00839C to update startup and shutdown durations and include the addition of alternating operating modes for the one (1) Solar Mars T1500S natural gas-fired turbine (Source ID # 118) and the one (1) Solar Titan 250 natural-gas fired turbine (Source ID # 119) present at the Delmont Compressor Station. The Delmont Compressor Station is located at 160 Adele Lane, Greensburg, PA 15601. The facility-wide Potential to Emit (PTE) for the Delmont Compressor Station has been updated to include the addition of extended startup and shutdown durations of the two (2) Solar turbines and alternative operating modes under worst case scenarios. Under previous authorizations, alternative operating scenarios were not portrayed for the PTE of the Solar Mars T-1500S turbine (Source ID # 118). There is no increase of emissions occurring from the normal operation of the turbines, and no new sources are proposed under this Plan Approval. The increase of emissions as a result of this project include a 0.2 ton per year increase of Particulate Matter less than 10 microns in diameter, a 0.2 ton per year increase of Particulate Matter less than 2.5 microns in diameter, a 2.2-ton per year increase of NO_x, a 2.6-ton per year increase of CO and a 0.2 ton per year increase of VOC. The updated facility-wide potential to emit for the Delmont Compressor Station will be 121 tons per year of NO_x, 170 tons per year of CO, 73.5 tons per year of VOC, 5.5 tons per year of SO_x, 12.75 tons per year of Particulate Matter less than 10 microns in diameter, 12.75 tons per year of Particulate Matter less than 2.5 microns in diameter, 19 tons of Hazardous Air Pollutants, and 8.75 tons of Formaldehyde. The authorization is subject to State Emission Standards. This Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, monitoring, recordkeeping, report-

ing, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise the existing Title V Operating Permit or submit a revision to the pending Title V Operating Permit application in accordance with 25 Pa. Code Subchapter G. The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this project are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000. A person may oppose the proposed plan approval by filing a written protest with the Department through Trent Greener, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; tgreener@pa.gov; or fax 412.442.4096. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00839C), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication. A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Requests for a public hearing should be directed to Sheri Guerrieri, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to shguerrieri@pa.gov. All comments must be received prior to the close of business 30 days after the date of this publication.

OPERATING PERMITS

Notice of Intent to Issue Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Norm Frederick, 570-826-2409.

39-00084, Allen Organ Co., LLC, Macungie Plant, 150 Locust Street, Macungie, PA 18062-1165, Macungie Borough, **Luzerne County.** Application received: July 5, 2022. The Department intends to issue a renewal State-Only (Natural Minor) Permit for the manufacturing of musical instruments facility located in Macungie Borough, Lehigh County. The main sources at this facility consists of a vapor degreaser and spray paint booths. The control devices consist of panel filters. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

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

10-00087, Du-Co Ceramics Company, 155 South Rebecca Street, P.O. Box 568, Saxonburg, PA 16056, Saxonburg Borough, **Butler County.** Application received: February 7, 2022. The Department intends to issue the renewal of the State-Only Operating Permit for a facility that produces precision ceramic insulators for varied industrial and manufacturing applications. The significant sources at the facility are a boiler, ceramic cutting and machining, a Meid Kiln, a Bell Kiln, a Jeffrey Dryer, a diesel emergency generator, a natural gas emergency generator, three minor kilns, parts washers, a Swindell Dressler Tunnel Kiln, and an Allied Roller Hearth Kiln. In this renewal, provisions of 25 Pa. Code § 123.22 on sulfur emissions from use of fuel oils in combustion units are incorporated into the permit. This subjects the diesel emergency generator to a more stringent sulfur content limit (15 ppm, 0.0015%) for fuel oils and associated recordkeeping and reporting requirements. The updated language of 40 CFR 63 Subpart ZZZZ pertaining to the emergency engines is included in the permit renewal. The potential NO_x, CO, PM, SO_x, and VOC emissions from the facility are less than 20.4 TPY, 17 TPY, 2 TPY, 1 TPY, and 17.0 TPY, respectively. The HAPs emissions from the facility are less than 10 TPY and the facility is therefore an Area Source for MACT.

24-00167, Speer Carbon Company LLC, 806 Theresia Street, Saint Marys, PA 15857-1831, City of Saint Marys, **Elk County.** Application received: January 18, 2023. The Department intends to issue a renewal State Only Natural Minor Operating Permit for the carbon and graphite materials production facility. The facility's primary emission sources include: a gas-fired boiler, black mix mixers, a slug press, baking kilns, the special impregnation process, fourteen (14) graphitizing furnaces, an electric pusher furnace, four (4) storage silos, a Raymond roller mill, a carbon paste mixer, three (3) hammermills, four (4) platform mixers, two (2) blending operations, the sand unloading and recycling system, machining operations, and a parts washer. The potential emissions of the primary pollutants from the facility after permit limitations are as follows: Total PM: 29.53 TPY, NO_x: 16.49 TPY, SO_x: 7.83 TPY, CO: 13.85 TPY, and VOC: 27.43 TPY; thus, the facility is a natural minor. Plan Approval 24-167D limits the facility's VOC emissions to 49.50 tons per year. This permit issuance includes a compliance schedule for the stack testing of the baking kilns for emissions of VOC. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

33-00085, Symmco Incorporated, 40 South Park Street, Sykesville, PA 15862-0039, Sykesville Borough, **Jefferson County.** Application received: February 1, 2022. The Department intends to issue the renewal of the Natural Minor Operating Permit for a powdered metal production facility that manufactures sintered metal parts. Permitted sources at the facility include sintering furnaces, degreasers, space and comfort heaters, and an emergency generator. With potential to emit 7.281, 0.622, 1.147, 0.008, and 0.075 TPY of PM, NO_x, CO, SO_x, and VOC, respectively, the facility is a Natural Minor for permitting purposes. Incorporated into the renewal operating permit are four new electric sintering furnaces and a second emergency generator, which are exempt from plan approval requirements pursuant to 25 Pa. Code § 127.14(a) No. 44, and 127.14(a)(8) No. 6, respectively.

The emergency generator is subject to 40 CFR 60 Subpart JJJJ pertaining to New Source Performance Standards for stationary spark ignition internal combustion engines. One decommissioned source is removed from the operating permit.

10-00337, McKnight Cranberry III LP, 800 Cranberry Woods Drive, Suite 260, Cranberry Township, PA 16066, Cranberry Township, **Butler County**. Application received: June 1, 2022. The Department intends to issue the renewal State Only Operating Permit for McKnight Cranberry III LP for the operation of an emergency use engine. The facility is a Natural Minor. The primary source at the facility consists of one 2,000 kw Cummins emergency use engine. The potential emissions for this facility are based on 500 hours of operation: 11.26 TPY NO_x, 1.45 TPY CO, 0.08 TPY TSP/PM₁₀, 2.37 TPY SO_x, and 0.32 TPY VOC. HAP emissions are less than 1 TPY for individual HAPs and less than 1 TPY for all combined HAPs. The permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

33-00116, MacDonald & Owen Lumber Company, 11424 Route 36, Brookville, PA 15825, Rose Township, **Jefferson County**. Application received: February 15, 2023. The Department intends to renew a State Only Operating Permit for MacDonald & Owen Lumber Company's hardwood lumber producing facility. The primary sources at the facility are 2 wood fueled boilers, 2 natural gas fueled boilers, planing operations, 8 kilns, and 3 parts washers. The facility is a Natural Minor. Potential emissions are as follows: 28.93 tpy NO_x; 43.25 tpy CO; 1.25 tpy SO₂; 22.92 tpy PM₁₀; and 4.42 tpy VOC. The wood fueled boilers are subject to 40 CFR Part 63 Subpart JJJJJ, the NESHAP for ICI 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.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

67-03008, Multi-Color Corp., 405 Willow Springs Lane, York, PA 17402, East Manchester Township, **York County**. Application received: January 19, 2023. To issue a State Only Operating Permit for the printing facility. The actual emissions from the facility in 2021 are estimated at 23.95 tons of VOCs and < 1 ton of HAP emissions. The operating permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.67a (Control of VOC emissions from flexible packaging printing presses) and 40 CFR Part 63, Subpart ZZZZ (National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines).

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-05129, H & K, Inc., 300 E Penn Ave, Robesonia, PA 19551, Brecknock Township, **Lancaster County**. Application received: December 22, 2022. To issue a State-Only Operating Permit for the asphalt and paving mixtures manufacturing operation located at the Silver Hill Quarry. Potential emissions from the facility are esti-

ated to be CO 80.0 tpy, NO_x 5.0 tpy, PM 8.4 tpy, SO_x 0.9 tpy, VOC 1.6 tpy, HAP's 1.5 tpy. The Operating Permit will include work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the facility is subject to 40 CFR 60, Subpart I—Standards of Performance for Hot Asphalt Facilities, and 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

22-05041, The Hershey Company, 1033 Old West Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. Application received: November 18, 2022. For the chocolate manufacturing operations at the West Plant. This is for a renewal of the facility's State-only operating permit. Annual emissions as reported in 2021 are 14.7 tpy of NO_x, 15.3 tpy of CO, 8.0 tpy of PM₁₀, 2.2 tpy of VOCs, and 0.11 tpy SO₂. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart ZZZZ, 40 CFR 60 Subpart IIII, and 40 CFR Part 60, Subpart Dc.

36-05022A, Bird-in-Hand Woodworks, Inc., 3031 Industry Drive, Lancaster, PA 17603, East Hempfield Township, **Lancaster County**. Application received: February 2, 2023. To issue a State Only Operating Permit for the woodworking facility. The potential emissions from the facility are estimated at 10.69 tpy of VOC and 5.06 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52, Surface Coating Processes.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

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

11-00524, JWF Industries, Inc., 84 Iron Street, Johnstown, PA 15907, West Taylor Township, **Cambria County**. Application received: January 10, 2023. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue a renewed natural minor state-only operating permit to JWF Industries, Inc. located in West Taylor Township, Cambria County. Sources of emissions consist of one shot-blast booth controlled by a 15,345 scfm baghouse, one paint booth controlled by a filtered exhaust duct, and miscellaneous heating sources. Potential emissions from this facility are estimated to be 28.5 TPY VOC; 4.8 TPY NO_x; 4.0 TPY CO; 5.0 TPY PM_{10/2.5}; 1.2 TPY total HAP; 0.01 TPY SO_x; and 5,702 TPY CO_{2e}. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the natural minor state-only operating permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the following: Name, address and telephone number of the person submitting the comments. Identification of the proposed Operating Permit (11-00524). Concise statements regarding the relevancy of the informa-

tion or objections to issuance of the Operating Permit. A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address. All comments must be received prior to the close of business 30 days after the date of this publication. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

63-00874, Therm-O-Rock East, Inc./Plant II, 85 Washington St., Donora, PA 15033, Donora Borough, **Washington County.** Application received: February 6, 2023. Therm-O-Rock, Inc. operates a material blending facility. This facility has a potential to emit 2.4 tons per 12-consecutive month period (12-cmp) of PM₁₀. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for the equipment. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the following: 1. Name, address and telephone number of the person submitting the comments. 2. Identification of the proposed Operating Permit (65-00874). 3. Concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit. All comments must be received prior to the close of business 30 days after the date of this publication. A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

PLAN APPROVALS

Receipt of Plan Approval Application(s) and Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B and Subchapter F. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

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

40-00043A, Crestwood Membranes Inc. d.b.a. I2M, 755 Oakhill Road, Mountain Top, PA 18707-2150, Wright Township, **Luzerne County.** Application received: November 22, 2022. In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Crestwood Membranes Inc. d.b.a. I2M (755 Oakhill Road, Mountain Top, PA 18707) for their facility in Wright Township, Luzerne County. This Plan Approval No. 40-00043A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date. Plan Approval No. 40-00043A is for the installation of one (1) rotogravure printing press with one (1) hot oil dryer controlled by a regenerative thermal oxidizer (RTO) with VOC destruction efficiency of 98%. Volatile Organic Compound (VOC) emissions from the facility will remain under their 50 TPY limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and 25 Pa. Code § 129.67 for surface coatings and use of an RTO and NSPS Subpart FFF. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Permit No. 40-00043A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date..

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (DEP). A copy of the application is available for inspection at the District Mining Office indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or Local Government Agency or Authority to DEP at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's

newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

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

Coal Applications

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

Table 1

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 Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

Contact: Bonnie Herbert, Clerical Assistant 3.

CORRECTION—previously published on March 18, 2023.

Mining Permit No. 30841316. NPDES No. PA 0213535. Consol Pennsylvania Coal Company, LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Center Township, **Greene County.** To revise the permit and related NPDES permit for construction of a bleeder facility and six (6) boreholes and one (1) NPDES discharge point will be added, affecting 41.0 proposed surface acres. Receiving stream(s): Claylick Run, classified for the following use: HQ-WWF. Application received: January 6, 2023. Accepted: February 23, 2023.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17051601. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township, **Clearfield County.** Application for a Change of Post-Mining Land Use from forestland to industrial/commercial on an existing coal preparation mine permit affecting 48.1 acres. Receiving stream(s): Moshannon Creek and Beaver Run classified for the following use(s): TSF, MF and CWF, MF. Application received: March 17, 2023. Accepted: March 21, 2023.

Mining Permit No. 17051601. NPDES No. PA0235733. Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, Decatur Township, **Clearfield County.** Permit renewal application for a coal preparation plant and associated NPDES permit affecting 48.1 acres. Receiving stream(s): Moshannon Creek and Beaver Run classified for the following use(s): TSF, MF and CWF, MF. Application received: March 17, 2023. Accepted: March 21, 2023.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 49931601. Black Creek Breaker Co., 1150 Fern Street, Apt. 10, Coal Township, PA 17866, West Cameron Township, **Northumberland County**. Renewal of an anthracite coal preparation plant operation affecting 4.5 acres. Receiving stream: Mahanoy Creek, classified for the following uses: WWF, MF. Application received: March 10, 2023.

Mining Permit No. 49920101. Blaschak Anthracite Corp., P.O. Box 12, Mahanoy City, PA 17948, Coal Township, **Northumberland County**. Renewal of an anthracite surface mine operation affecting 954.6 acres. Receiving stream: UNT to Shamokin Creek, classified for the following uses: CWF, MF. Application received: March 15, 2023.

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

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
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.			

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.

Mining Permit No. 43220101. Ben Hal Mining, Inc., 389 Irishtown Road, Grove City, PA 16127, Worth Township, **Mercer County**. Revision to an existing bituminous surface mine to add 12.5 acres. Application received: March 7, 2023.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 45152801. NPDES Permit No. PA0226378. Elmer F. Possinger & Sons, Inc., P.O. Box 520, Bartonsville, PA 18321, Hamilton Township, **Monroe County**. New NPDES Permit on a quarry operation affecting 5.0 acres. Receiving stream: McMichaels Creek, classified for the following uses: EV-CWF, MF. Application received: February 21, 2023.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 06820601. NPDES Permit No. PA0612791. Southern Berks Land Co., LP, 200 Bethlehem Drive, Suite 106, Morgantown, PA 19543, New Morgan Borough, **Berks County**. Modification of NPDES Permit on a quarry operation affecting 93.2 acres. Receiving stream: UNT East Branch Conestoga River, classified for the following uses: WWF, MF. Application received: March 13, 2023.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (NPDES) permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (DEP) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse

disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters DEP may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

Coal NPDES Draft Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.

Contact: Melanie Ford-Wigfield, 814.472.1900, ra-epcambria@pa.gov.

NPDES No. PA0212393. Mining Permit No. 11930102. E.P. Bender Coal Co., Inc., P.O. Box 594, Carrolltown, PA 15722, Dean Township, **Cambria County**. Renewal of an NPDES permit 21.0 acres related to a coal mining activity permit. Receiving stream: Clearfield Creek, classified for the following use: WWF. The receiving stream is included in the Clearfield Creek TMDL. Application received: March 3, 2023.

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

The following outfalls discharge to Clearfield Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
011	Existing	Passive Treatment	0.071 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (lbs/d)	XXX	XXX	XXX	38.0
Total Manganese (lbs/d)	XXX	XXX	XXX	39.0
Total Aluminum (lbs/d)	XXX	XXX	XXX	5.2
Total Acidity (lbs/d)	XXX	XXX	XXX	100.0
Total Suspended Solids (mg/L)	XXX	XXX	XXX	Report
pH (S.U.)	6.0	XXX	XXX	Report
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0214337. Mining Permit No. 17141601. EnerCorp, Inc., 1310 Allport Cutoff, Morrisdale, PA 16858, Cooper Township, **Clearfield County**. Application received: November 4, 2023.

Renewal of an NPDES permit for discharge of water resulting from post-mining treatment of acid mine drainage affecting 3.4 acres. Receiving stream(s): Sulphur Run, classified for the following use(s): CWF. This receiving stream is included in the Moshannon Creek Watershed TMDL.

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

The following outfalls discharge to Sulphur Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	Existing	Sludge Drying Pond Discharge	Intermittent
003	Existing	Treatment System Final Discharge	Continuous
004	Existing	Sludge Drying Pond Discharge	Intermittent

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

<i>Outfalls: 002—004 (All Discharges)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	3.0	6.0	7.0

<i>Outfalls: 002—004 (All Discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	30.0	70.0	90.0
Osmotic Pressure (mOs/kg)	84.2	168.4	168.4
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 10.5 standard units at all times.
Alkalinity must exceed acidity at all times.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert, OR RA-EPNEWSTANTON@pa.gov.

NPDES No. PA0069736. Mining Permit No. 26742302. Bute Coal Recovery, LLC, 195 Enterprise Drive, Connellsville, PA 15425, Dunbar and North Union Townships, **Fayette County**. Application received: March 10, 2021.

Affecting 150.1 acres. A variance is included to affect within 100 feet of Rankin Run. Receiving stream(s): UNT to Rankin Run and Rankin Run, classified for the following use(s): WWF. The receiving streams are subject to the Redstone Creek Total Maximum Daily Load. The first downstream potable water supply intake from the point of discharge is the Newell Municipal Authority (PWS ID 5260014) located on the Monongahela River.

The outfalls, type of outfall, and receiving streams are as follows:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Outfall Type</i>	<i>Receiving Stream</i>
001	N	Treatment Facility Outfall	UNT to Rankin Run
002	N	Treatment Facility Outfall	Rankin Run
003	N	Treatment Facility Outfall	Rankin Run

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

<i>(All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Total Cadmium (ug/l)		Monitor and Report	
Total Silver (ug/l)		Monitor and Report	
Specific Conductance (umhos/cm)		Monitor and Report	
Sulfate (mg/l)		Monitor and Report	

pH (S.U.): Must be between 6.0 and 9.0 at all times.
Alkalinity must exceed acidity at all times.

Noncoal NPDES Draft Permits

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES Permit No. PA0224171. Mining Permit No. 58010301. Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, Bridgewater and Dimock Townships, **Susquehanna County**. Renew NPDES Permit affecting 44.78 acres. Receiving stream: UNT to South Branch Wyalusing Creek, classified for the following use: WWF. Discharge is South Wyalusing TMDL. Application received: December 12, 2022.

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

The following treated wastewater outfalls discharge to a UNT to South Branch of Wyalusing Creek

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	Existing	Stormwater	Rainfall Dependent

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

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

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

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

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

ⁱThis Parameter is applicable at all times.

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES Permit No. PA0593915. Mining Permit No. 5376SM16. American Asphalt Paving Company, 500 Chase Road, Shavertown, PA 18708, Jackson Township, **Luzerne County**. Renew NPDES Permit affecting 161.74 acres. Receiving stream: Browns Creek, classified for the following use: CWF. Application received: December 27, 2022.

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

The following treated wastewater outfalls discharge to Browns Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	Existing	Process Water/Pit Water	0.2MGD
003	Existing	Pit Water	0.0001 MGD
004	Existing	Stormwater	0.01 MGD
005	Existing	Stormwater	0.001 MGD

The proposed effluent limits for the previously listed outfalls are as follows: 001 and 003

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD) 001		0.2	0.8	
Discharge (MGD) 003		0.001	0.8	
Oil and Grease (mg/L)			Monitor And Report	

The following limits apply to dry weather discharges from the following stormwater outfalls: 004 and 005

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

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event: 004 and 005

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

ⁱThis Parameter is applicable at all times.

NPDES Permit No. PA0225754. Mining Permit No. 06880302. Rolling Rock Building Stone, Inc., 40 Rolling Rock Road, Boyertown, PA 19512, Pike and District Townships, **Berks County**. Renew NPDES Permit affecting 411.8 acres. Receiving stream: Oysterville Creek, classified for the following uses: EV, MF. Non-Discharging Best Management Practices will be in effect. Application received: August 22, 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 (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable

provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOGPRG@pa.gov.

E5929222-011. NFG Midstream Wellsboro, LLC, 1100 State Street, Erie, PA 16501, Delmar Township and Shippen Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District. Application received: December 27, 2022.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 275 square feet of a palustrine emergent (PEM) wetland (Asaph, PA Quadrangle 41.8102°, -77.3964°);

2) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 1,296 square feet of a palustrine emergent (PEM) wetland (Asaph, PA Quadrangle 41.8114°, -77.3965°);

3) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 120 square feet of a palustrine emergent (PEM) wetland (Asaph, PA Quadrangle 41.8160°, -77.3961°);

4) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 65 linear feet of an unnamed tributary to Canada Run (HQ-CWF) (Tiadaghton, PA Quadrangle 41.8173°, -77.3891°);

5) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch

diameter waterline impacting 541 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Asaph, PA Quadrangle 41.8160°, -77.3961°);

6) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 83 linear feet of an unnamed tributary to Canada Run (HQ-CWF) (Tiadaghton, PA Quadrangle 41.8174°, -77.3783°);

7) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 66 linear feet of an unnamed tributary to Canada Run (HQ-CWF) and 551 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Tiadaghton, PA Quadrangle 41.8174°, -77.3773°);

8) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 2,262 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 215 square feet of an exceptional value palustrine forest (EV-PFO) wetland (Tiadaghton, PA Quadrangle 41.8174°, -77.3753°);

9) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 1,397 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Tiadaghton, PA Quadrangle 41.8174°, -77.3750°);

10) A temporary road crossing using timber mats and an 8 and 12 inch diameter natural gas pipelines and 16 inch diameter waterline impacting 71 linear feet of an unnamed tributary to Canada Run (HQ-CWF), 3,154 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 84 linear feet of another unnamed tributary to Canada Run (HQ-CWF), and 9,929 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Tiadaghton, PA Quadrangle 41.8174°, -77.3750°).

The project will result in 369 linear feet of temporary stream impacts, 16,371 square feet (0.376 acre) of temporary wetland impacts and 3,369 square feet (0.077 acre) of permanent wetland impacts all for the purpose of installing a natural gas pipeline and freshwater pipeline in Delmar and Shippen Township, Tioga County.

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: James Cassidy, Senior Civil Engineer, 570-855-9764.

F4104223-001. Lycoming County CDBG-DR, 48 West Third Street, Williamsport, PA 17701, Muncy Borough, Montoursville Borough, and Cogan Station Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 15, 2023.

These properties are to be bought out and demolished to restore floodplain. This work will be conducted with funding provided by FEMA through their CDBG-DR initiative. Latitude: 41.208772, 41.262722, and 41.261855°, Longitude: -76.784809, -76.932197, and -77.040555°.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

E4002223-006. Christopher Vincelli, 265 Magnolia Drive, Dallas, PA 18612, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 16, 2023.

To remove an existing structure and to construct and maintain a 2,502 ft² dock structure within the normal pool elevation of Harveys Lake (HQ-CWF, MF) and a de minimus area of wetlands equal to 0.001. The project is located at Pole # 260 along Lakeside Drive (SR 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 19"; Longitude: -76° 2' 24") in Harveys Lake Borough, Luzerne County.

E4002223-005. Stephen Iskra, 11 Green Arrow Trail, White Haven, PA 18661, Buck Township, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 13, 2023.

To construct and maintain a stormwater outfall along the bank of Shades Creek (HQ-CWF, MF) consisting of a 50-foot long, 2-foot wide trapezoidal channel lined with R-6 riprap and having 3:1 side slopes. The project is located directly north of the intersection of Green Arrow Trail and Indian Lake Trail (Pleasantview Summit, PA Quadrangle Latitude: 41° 11' 1.17" Longitude: -75° 41' 12.66") in Buck Township, Luzerne County.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E2506223-001. City of Erie, 626 State Road, Room 400, Erie, PA 16501, City of Erie, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: March 3, 2023.

To install and maintain two litter traps in Garrison Run near the Erie Wastewater Treatment Plant along Port Access Road in order to reduce the amount of debris in the stream from entering Presque Isle Bay. Latitude: 42.143°, Longitude: -80.075°.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

E0603222-005. Prologis, 400 Boulder Drive, Suite 200, Breinigsville, PA 18031, Maxatawny Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: June 22, 2022.

To remove an existing culvert, impacting 35 linear feet of an unnamed tributary to Mill Creek (TSF/MF) and 0.003 acre of exceptional value palustrine emergent wetlands; 2.) install and maintain an 83.0-foot long 36.0-inch diameter reinforced concrete pipe in the floodway of an unnamed tributary to Mill Creek (TSF, MF) and exceptional value palustrine emergent/scrub-shrub/forested wetlands impacting 0.208 acre of wetlands; 3.) install and maintain a 76.0-foot long, 4-foot 8-inch high by 18.0-foot wide open bottom arch culvert in an unnamed tributary to Mill Creek (TSF, MF); 4.) relocate and maintain 76.0 feet of an unnamed tributary to Mill Creek (TSF, MF); 5.) install and maintain an 8.0-inch PVC sanitary sewer line across an unnamed tributary to Mill Creek (TSF, MF) and exceptional value palustrine emergent/

scrub-shrub/forested wetlands; 6.) install and maintain an 18.0-inch CMP stormwater pipe across exceptional value palustrine emergent/scrub-shrub/forested wetlands; 7.) install and maintain an 8.0-inch DIP potable water line across an unnamed tributary to Mill Creek (TSF, MF) and exceptional value palustrine emergent/scrub-shrub/forested wetlands; and 8.) install and maintain a 6.0-inch diameter PVC sanitary sewer force main under and across an unnamed tributary to Sacony Creek (CWF, MF) impacting 9 linear feet of stream, all for the purpose of constructing warehousing facilities. The project is located immediately north of the intersection of Hottenstein Road and US 222 (Latitude: 40° 32' 10.87" N; Longitude: 75° 44' 39.15" W) in Maxatawny Township, Berks County. To compensate for the impacts, the applicant will purchase 150 stream credits and 0.365 wetland credits from the Quaker Mitigation Bank (PADEP Permit # MB990306-0001).

E0603223-003. Antietam School District, 100 Antietam Road, Reading, PA 19606, Lower Alsace Township and Exeter Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: February 17, 2023.

To remove 1) Two (2) pedestrian bridges and the construction of one pedestrian bridge; 2) protect the streambank with a stone stacked wall system, stabilization and instream restoration activities and; 3) the construction in the floodway of an outdoor classroom all along the existing Antietam and Exeter Roads and across or in Antietam Creek (CWF, MF). These total impacts proposed consist of 0.074 acre of permanent watercourse impacts and 0.36-acre of permanent floodway impacts. The project has no wetlands onsite. The project is located in Alsace and Exeter Townships, Berks County (Latitude: 40.349184° N; Longitude: -75.867987° W).

E0503223-001. Plenary Walsh Granite Keystone Partners, 4 Penn Cent Boulevard, Pittsburgh, PA 15276, Juniata Township, **Bedford County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 12, 2023.

The applicant seeks authorization to leave 0.08 acre after-the-fact wetland fill which remained post-construction from a bridge replacement project authorization under GP-11-05-16-104. The project is located along the SR 30 crossing over Burns Creek (WWF) in Juniata Township, Bedford County (Latitude: 40.0395; Longitude: -78.6878). The applicant proposes the purchase of 0.16 acre wetland credits from the Land Reclamation Group LLC Tunnel Road Mitigation Bank (MB9915-0003) as compensatory mitigation for the wetland fill.

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

Contact: Dana Drake, Program Manager.

E6505123-002. PA DOT Engineering District 12, 825 North Gallatin Avenue Ext, Uniontown, PA 15401, Derry Township, **Westmoreland County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: March 21, 2023.

The applicant proposes to: 1. Remove the existing single span, reinforced concrete encased I-beam bridge with a 7.0-foot normal clear span, 3.6-foot underclearance, and an out-to-out length of 49 feet carrying SR 982 over an unnamed tributary to Stony Run (CWF) herein referred to as "Watercourse 1." 2. Construct and maintain a single cell, precast reinforced concrete box culvert in Watercourse 1 with an 8.0-foot span, 3.0-foot underclear-

ance, and length of 79 feet. Concrete end sections and rock scour protection will be installed at both ends of the structure adding another 33 feet of permanent stream impact. 3. Construct and maintain fill within 304 feet of floodway along Watercourse 1 in order to repair an existing slope embankment failure of the roadway. 4. Permanently relocate 193 linear feet of Watercourse 1 as a result of the embankment repair. 5. Construct and maintain fill in 0.014 acre of non-EV PEM wetlands as a result of the embankment repair. 6. Replace an existing stormwater cross pipe outfall within the floodway of Watercourse 1. To compensate for the 304 feet of stream impact including the 193-foot relocation, the applicant is proposing to use a natural channel design with native seed mixes and live stakes when the relocated channel is constructed. No wetland mitigation was proposed since impacts were less than 0.05 acre. The project site is located on SR 982, Section X10 approximately 0.45 mile north of the intersection with Laughlin Farm Road (Blairsville, PA Quadrangle; Latitude: 40° 23' 23.39",

Longitude: -79° 19' 36.46"; Sub-basin 18D; USACE Pittsburgh District), in Derry Township, Westmoreland County.

DAM SAFETY

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.

Contact: Ryan Knarr, Civil Engineer Consultant Hydraulic, 717-772-5943, ryknarr@pa.gov.

D58-020. PA American Water Company, Kurt Staller, Project Manager, 852 Wesley Drive, Mechanicsburg, PA 17055, Bridgewater Township, **Susquehanna County**. To modify, operate and maintain Lake Montrose Dam across Snake Creek (CWF, MF), impacting 0 acre of wetlands and 10 feet of stream and providing 0 acre of wetland mitigation, for the purpose of rehabilitating the dam and increasing spillway capacity to meet the current DEP regulations, Latitude: 41.845N°, Longitude: -75.859W°. Application received: February 9, 2021.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the "Final Actions Report" on DEP's website at www.dep.pa.gov/CWPublicNotice.

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

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. 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: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

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

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

I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD010001	Chapter 102 Individual NPDES Permit	Issued	CCD Rock Creek LLC 1751 A West Diehl Road Naperville, IL 60563	Straban Township Adams County	SCRO
PAD150288	Chapter 102 Individual NPDES Permit	Issued	Downingtown East High School 540 Trestle Place Downingtown, PA 19335-3459	Uwchlan Township Chester County	SERO
PAD410024	Chapter 102 Individual NPDES Permit	Issued	Lycoming Supply Inc. 801 Beeber Street Williamsport, PA 17701-1501	McIntyre Township Lycoming County	NCRO
PAD450171	Chapter 102 Individual NPDES Permit	Issued	Cherry Lane Development Partners LLC 201 S Maple Way Suite 100 Ambler, PA 19002-5534	Pocono Township Monroe County	NERO
PAD460070	Chapter 102 Individual NPDES Permit	Issued	Renaissance Land Assoc II & III LP 201 King of Prussia Road Suite 501 King of Prussia, PA 19087-5148	Upper Merion Township Montgomery County	SERO
PAD480154	Chapter 102 Individual NPDES Permit	Issued	CCAN LLC 1115 Gaspar Avenue Bethlehem, PA 18017-1013	Bethlehem City Northampton County	NERO
PAD480182	Chapter 102 Individual NPDES Permit	Issued	Lafayette College 901 Bushkill Drive Easton, PA 18042-1402	Forks Township Northampton County	NERO
PAD520045	Chapter 102 Individual NPDES Permit	Issued	Alexander Kevin and Danielle 39 Adams Avenue Middletown, NY 10940-6530	Milford Township Pike County	NERO
PAD520046	Chapter 102 Individual NPDES Permit	Issued	Vogelsberg Eric and Sue 242 Prospect Road Monroe, NY 10950	Milford Township Pike County	NERO
PAD640033	Chapter 102 Individual NPDES Permit	Issued	Pocono Sign Co. 1979 Scranton Carbondale Highway Blakely, PA 18447-7005	Paupack Township Wayne County	NERO

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<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>
1513833	Joint DEP/PFBC Pesticides Permit	Issued	Baena Jeff 2111 Buttonwood Road Berwyn, PA 19312-2105	Easttown Township Chester County	SERO
1519802	Joint DEP/PFBC Pesticides Permit	Issued	Distefano Landscape Service, Inc. 181 Robbins Road Downingtown, PA 19335	West Vincent Township Chester County	SERO
3622806	Joint DEP/PFBC Pesticides Permit	Issued	Masonic Village of Elizabethtown 1 Masonic Drive Elizabethtown, PA 17022-2199	West Donegal Township Lancaster County	SCRO
3622807	Joint DEP/PFBC Pesticides Permit	Issued	Zug David A. 245 Hershey Drive Manheim, PA 17545-1223	Manheim Borough Lancaster County	SCRO
3622808	Joint DEP/PFBC Pesticides Permit	Issued	Meadia Heights Golf Course 402 Golf Road Lancaster, PA 17602-4808	West Lampeter Township Lancaster County	SCRO
3822802	Joint DEP/PFBC Pesticides Permit	Issued	Leon E. Houser 625 S 14th Avenue Lebanon, PA 17042-8805	Heidelberg Township Lebanon County	SCRO
4013806	Joint DEP/PFBC Pesticides Permit	Issued	Lake Silkworth Property Owners 22 Eleanor Drive Hunlock Creek, PA 18621-4257	Lehman Township Luzerne County	NERO
4323801	Joint DEP/PFBC Pesticides Permit	Issued	Keith Saltrick 44 Parkview Lane Grove City, PA 16127-4150	Pine Township Mercer County	NWRO
4522805	Joint DEP/PFBC Pesticides Permit	Issued	Mason Paul 46 Columbia Boulevard East Stroudsburg, PA 18302-8980	Middle Smithfield Township Monroe County	NERO
4613832	Joint DEP/PFBC Pesticides Permit	Issued	Dortone Roland 3471 Arcola Road Collegetown, PA 19426-3464	Lower Providence Township Montgomery County	SERO
4613852	Joint DEP/PFBC Pesticides Permit	Issued	Valleycrest Landscape Maintenance, Inc. 10000 Shannondell Drive Norristown, PA 19403-5615	Lower Providence Township Montgomery County	SERO
4613894	Joint DEP/PFBC Pesticides Permit	Issued	Calabretta Giorgio 316 Township Line Road Schwenksville, PA 19473-1604	Perkiomen Township Montgomery County	SERO
5617801	Joint DEP/PFBC Pesticides Permit	Issued	Indian Lake Borough Somerset County 1301 Causeway Drive Central City, PA 15926-7621	Indian Lake Borough Somerset County	SWRO
5822801	Joint DEP/PFBC Pesticides Permit	Issued	Stafursky Kimberly 3 Export Lane Archbald, PA 18403-1957	Clifford Township Susquehanna County	NERO
6313806	Joint DEP/PFBC Pesticides Permit	Issued	Timber Lake P.O. Box 696 Virginia Beach, VA 23451	Peters Township Washington County	SWRO
6318801	Joint DEP/PFBC Pesticides Permit	Issued	Peters Township Authority Washington County 610 E McMurray Road McMurray, PA 15317	Peters Township Washington County	SWRO
6416801	Joint DEP/PFBC Pesticides Permit	Issued	Honesdale Country Club 109 Elizabeth Avenue Honesdale, PA 18431-1117	Oregon Township Wayne County	NERO

<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>
6613801	Joint DEP/PFBC Pesticides Permit	Issued	Saddle Lake POA 21 W Lake Shore Drive Tunkhannock, PA 18657-7773	Tunkhannock Township Wyoming County	NERO
6722808	Joint DEP/PFBC Pesticides Permit	Issued	Davidson David 7633 Loucks Street York, PA 17403-9405	Springfield Township York County	SCRO
6722809	Joint DEP/PFBC Pesticides Permit	Issued	Villas on The Lakes P.O. Box 2612 York, PA 17405-2612	York City York County	SCRO
6722810	Joint DEP/PFBC Pesticides Permit	Issued	Woolley Travis 3020 Pond Drive York, PA 17402-4433	Windsor Township York County	SCRO
0478208	Major Industrial Waste Treatment Facility Individual WQM Permit	Issued	Swagelok Proc Corp 7544 Route 18 North Koppel, PA 16136	Koppel Borough Beaver County	SWRO
4109405	Major Sewage Treatment Facility Individual WQM Permit	Issued	Williamsport City Sanitary Authority Lycoming County 253 W 4th Street Williamsport, PA 17701-6113	Williamsport City Lycoming County	NCRO
PA0083879	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Sandy Run Landfill LLC 995 Landfill Road Hopewell, PA 16650-8653	Broad Top Township Bedford County	SCRO
PA0001627	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Cheswick Plant Environmental Redevelopment Group LLC 12601 Plantside Drive Louisville, KY 40299-6386	Springdale Borough Allegheny County	SWRO
PA0002437	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Lindy Paving, Inc. 2340 2nd Avenue Pittsburgh, PA 15219-3106	Neville Township Allegheny County	SWRO
PA0052515	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Ambler Borough Montgomery County 131 Rosemary Avenue Ambler, PA 19002	Whitemarsh Township Montgomery County	SERO
PA0266400	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Newport Borough Water Authority Perry County 497 N Front Street Newport, PA 17074-1609	Howe Township Perry County	SCRO
PA0045802	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Buss Kellen P 2310 S Miami Boulevard Suite 238 Durham, NC 27703-5798	Hempfield Township Westmoreland County	SWRO
PA0110931	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Yoder Daniel and Yoder Diane P.O. Box 333 Manns Choice, PA 15550-0333	Napier Township Bedford County	SCRO
1988407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Orange Township Columbia County 2028 State Route 487 Orangeville, PA 17859-9029	Orange Township Columbia County	NCRO

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<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>
6570410	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Buss Kellen P 2310 S Miami Boulevard Suite 238 Durham, NC 27703-5798	Hempfield Township Westmoreland County	SWRO
PAG036117	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Neville Aggregates Co. Inc. 3501 Neville Road Pittsburgh, PA 15225-1411	Neville Township Allegheny County	SWRO
PAG036214	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Johnstown Cambria County Airport Authority 479 Airport Road Suite 1 Johnstown, PA 15904	Richland Township Cambria County	SWRO
PAG036216	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Lindy Paving Inc. 1807 Shenango Road New Galilee, PA 16141	Big Beaver Borough Beaver County	SWRO
PAG036221	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Almac Mach Co. Inc. 205 Morgan Place Johnstown, PA 15901-1136	Johnstown City Cambria County	SWRO
PAG036223	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Environmental Energy Solutions LLC P.O. Box 75 Sassamansville, PA 19472-0075	Franklin Township Greene County	SWRO
PAG036292	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kantner Iron & Steel Inc. 365 Bassett Road Hooversville, PA 15936-7608	Somerset Township Somerset County	SWRO
PAG036311	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Kantner Iron & Steel Inc. 365 Bassett Road Hooversville, PA 15936-7608	Quemahoning Township Somerset County	SWRO
PAG036323	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Bottling Group LLC 167 Allenbill Drive Johnstown, PA 15904-1937	Johnstown City Cambria County	SWRO
PAG036324	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	King & Bungard Lumber Co. Inc. 668 Casselman Road Markleton, PA 15551-8812	Upper Turkeyfoot Township Somerset County	SWRO
PAG036326	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Alstom Grid LLC 1 Power Lane Charleroi, PA 15022-1082	Speers Borough Washington County	SWRO
PAG036330	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ward Trucking Corp 2901 Freeport Road Pittsburgh, PA 15238-1417	Harmar Township Allegheny County	SWRO
PAG036331	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Chambers Development Co. Inc. 600 Thomas Street Monroeville LDFL Monroeville, PA 15146	Monroeville Borough Allegheny County	SWRO
PAG036333	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Robert M. Casturo 750 W 5th Avenue McKeesport, PA 15132-3505	McKeesport City Allegheny County	SWRO
PAG036334	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	USA South Hills Landfill Inc. 3100 Hill Road Library, PA 15129-9443	South Park Township Allegheny County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG036342	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Riverside Concrete & Supply Inc. 889 Pennsylvania Avenue Coraopolis, PA 15108	Coraopolis Borough Allegheny County	SWRO
PAG040109	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Cloe Ronald B. and Melinda Susan Jr. 5650 Tollgate Road Pipersville, PA 18947-1516	Plumstead Township Bucks County	SERO
PAG049335	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Joann and Kenneth Bawol 8084 Clair Wright Road Girard, PA 16417-7936	Franklin Township Erie County	NWRO
PAG066140	PAG-06 NPDES General Permit for Combined Sewer Systems	Issued	Etna Borough Allegheny County 437 Butler Street Etna, PA 15223-2126	Etna Borough Allegheny County	SWRO
PAG096107	PAG-09 General Permit for Beneficial Use of Residential Septage	Issued	Zelmore Top Septic Service 1508 Pleasant Valley Road Mount Pleasant, PA 15666-5512	Bullskin Township Fayette County	SWRO
PAG123941	PAG-12 NPDES General Permit for CAFOs	Issued	Martin Brian 30 Valley Drive Jonestown, PA 17038-8324	Swatara Township Lebanon County	SCRO
PAG123942	PAG-12 NPDES General Permit for CAFOs	Issued	Ronald Snyder Farm 3356 Sweet Arrow Lake Road Pine Grove, PA 17963-9050	Washington Township Schuylkill County	SCRO
PAG134818	PAG-13 NPDES General Permit for MS4s	Waived	North Centre Township Columbia County 1059 State Route 93 Berwick, PA 18603-5101	North Centre Township Columbia County	NCRO
PAG136219	PAG-13 NPDES General Permit for MS4s	Issued	McKeesport City Allegheny County 500 5th Avenue McKeesport, PA 15132-2527	McKeesport City Allegheny County	SWRO
PAG156101	PAG-15 NPDES General Permit for Pesticides	Issued	Indian Lake Borough Somerset County 1301 Causeway Drive Central City, PA 15926-7621	Indian Lake Borough Somerset County	SWRO
0493402	Pump Stations Individual WQM Permit	Issued	N Sewickley Township Sewer Authority 525 Lawrence Avenue Ellwood City, PA 16117-8528	Ellwood City Borough Lawrence County	SWRO
4022402	Pump Stations Individual WQM Permit	Issued	Ecumenical Enterprises Inc. 3135 Memorial Highway Dallas, PA 18612-8312	Dallas Township Luzerne County	NERO
0483402	Sewage Treatment Facilities Individual WQM Permit	Issued	Beaver Borough Municipal Authority 469 3rd Street Beaver, PA 15009-2226	Beaver Borough Beaver County	SWRO
4022401	Sewer Extensions Individual WQM Permit	Issued	Ecumenical Enterprises Inc. 3135 Memorial Highway Dallas, PA 18612-8312	Dallas Township Luzerne County	NERO
0461S17	Sewer Extensions Individual WQM Permit	Issued	PA American Water Co. 100 Atlantic Avenue McKeesport, PA 15132-3807	McKeesport City Allegheny County	SWRO
PA0245453	Single Residence STP Individual NPDES Permit	Issued	Andrews Robert T 2800 Quarry Road P.O. Box 280 Bryn Athyn, PA 19009-8006	Bryn Athyn Borough Montgomery County	SERO

<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>
PA0291455	Single Residence STP Individual NPDES Permit	Issued	Bacher Stephen 1450 State Route 157 Oil City, PA 16301-4334	Cranberry Township Venango County	NWRO
4622409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Andrews Robert T 2800 Quarry Road P.O. Box 280 Bryn Athyn, PA 19009-8006	Bryn Athyn Borough Montgomery County	SERO
6122407	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bacher Stephen 1450 State Route 157 Oil City, PA 16301-4334	Cranberry Township Venango County	NWRO
WQG018539	WQG-01 WQM General Permit	Issued	Joann and Kenneth Bawol 8084 Clair Wright Road Girard, PA 16417-7936	Franklin Township Erie County	NWRO
WQG02072301	WQG-02 WQM General Permit	Issued	Hollidaysburg Borough Sewer Authority Blair County 401 Blair Street Hollidaysburg, PA 16648-1805	Frankstown Township Blair County	SCRO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC480026 A-1	PAG-02 General Permit	Issued	Frank Dudas 6118 William Penn Highway Easton, PA 18045-2952	Upper Mount Bethel Township Northampton County	Northampton County Conservation District 14 Gracedale Ave Greystone Building Nazareth, PA 18064-9211 610-829-6276 RA-EPWW-NERO@pa.gov
PAC540136	PAG-02 General Permit	Issued	Archaea Energy, LLC Terry Cunningham 4444 Westheimer Rd. Ste. G450 Houston, TX 77027	Foster Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742 RA-EPWW-NERO@pa.gov
PAC660033	PAG-02 General Permit	Issued	Stanley Karp 1025 E. Avery Station Rd. Factoryville, PA 18419	Lemon Township Wyoming County	Wyoming County Conservation District 6052, SR 6 Tunkhannock, PA 18657 570-836-2589 RA-EPWW-NERO@pa.gov
PAC350139	PAG-02 General Permit	Issued	Buranich Enterprises, Inc. 2421 Blad Mountain Rd. Clarks Summit, PA 18477-9547	Glenburn Township Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Road South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@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>
PAC090603	PAG-01 General Permit	Issued	Foxlane Homes at Stone 1243 Easton Rd. Suite 205 Warrington, PA 18976-3801	Middletown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Suite 704 Doylestown, PA 18902-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090604	PAG-02 General Permit	Issued	Gelest, Inc. 11 Street Road Morrisville, PA 19067-3613	Falls Township Bucks County	Bucks County Conservation District 1456 Ferry Road Suite 704 Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC350152	PAG-02 General Permit	Issued	Lackawanna County 123 Wyoming Ave. 5th Floor Scranton, PA 18503	City of Scranton Lackawanna County	Lackawanna County Conservation District 1027 S. Abington Rd. South Abington Township, PA 18411 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC250183	PAG-02 General Permit	Issued	Ironstone Properties LLC 12214 East Main Road North East, PA 16428	North East Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250184	PAG-02 General Permit	Issued	Erie School District 148 West 21st Street Erie, PA 16502	City of Erie Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC360810	PAG-02 General Permit	Issued	Marlin Brubaker 1683 Turkey Hill Road East Earl, PA 17519	Brecknock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360813	PAG-02 General Permit	Issued	Chi St. Joseph Children's Health 1929 Lincoln Highway East Suite 150 Lancaster, PA 17602	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360770	PAG-02 General Permit	Issued	Richard Hershey Sr. 99 Stehman Road Lancaster, PA 17603	Conestoga Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360761	PAG-02 General Permit	Issued	Homestead Village 1800 Village Circle Lancaster, PA 17603	East Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360778	PAG-02 General Permit	Issued	Esh Family Farm LLC 203 PA-41 Gap, PA 17527	Sadsbury Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360188A-1	PAG-02 General Permit	Issued	Lititz Land Trust LLC 750 Lititz Pike Lititz, PA 17543	Warwick Township Lititz Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360238A-1	PAG-02 General Permit	Issued	Donegal Woods LLC P.O. Box 277 Landisville, PA 17538	West Donegal Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360765	PAG-02 General Permit	Issued	Old Tree Partners LLC 120 North Pointe Blvd Suite 201 Lancaster, PA 17601	East Hempfield Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360208A-1	PAG-02 General Permit	Issued	Rockview LLC 228 Granite Run Drive Suite 100 Lancaster, PA 17603	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360208A-1	PAG-02 General Permit	Issued	48 North Broad Street LLC 2540 Marietta Avenue Lancaster, PA 17601	Lititz Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC380186A-1	PAG-02 General Permit	Issued	PennDOT Multimodal 400 North Street 7th Floor Harrisburg, PA 17105	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360038A-2	PAG-02 General Permit	Issued	Millport Road LLC 511 Snyder Road LLC Lititz, PA 17543	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC670089	PAG-02 General Permit	Issued	J.A. Myers Homes 160 Ram Drive Hanover, PA 17331	West Manheim Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670566	PAG-02 General Permit	Issued	Frank and Debra Kambic 100 Harrison Drive New Cumberland, PA 17070	Fairview Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670226A-2	PAG-02 General Permit	Issued	DCM Development Corporation 584 Grandview Drive Lewisberry, PA 17339	Fairview Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670594	PAG-02 General Permit	Issued	Caterpillar Inc. 600 Memory Lane York, PA 17402	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670485A-1	PAG-02 General Permit	Issued	Hershey Command Center Associates LLC 4 Barlo Circle Dillsburg, PA 17019	Carroll Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC210298	PAG-02 General Permit	Issued	1100 Logistics Dr AAMPA LLC 1514 Commerce Ave Suite 203 Carlisle, PA 17013	South Middleton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 717-240-7812
PAC210302	PAG-02 General Permit	Issued	Mechanicsburg Storage & Transfer 400 Cheryl Avenue Mechanicsburg, PA 17050	Mechanicsburg Borough Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 310 Carlisle, PA 17013 717-240-7812
PAD210086	PAG-02 General Permit	Issued	Harlen O. Reiff 240 Mountain View Road Shippensburg, PA 17257	South Newton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAD210082	PAG-02 General Permit	Issued	Hamilton Commons, LLP 322 South Hanover Street Carlisle, PA 17013	Carlisle Borough Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC020078A-3	PAG-02 General Permit	Issued	TF South Fayette, LLC 8486 SR Greensburg, PA 15601	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005
PAC020285A-2	PAG-02 General Permit	Issued	Allegheny Health Network 120 Fifth Avenue Suite 2900 Pittsburgh, PA 15222	Pine Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC020948	PAG-02 General Permit	Issued	Hutton White Oak PA ST, LLC 736 Cherry Street Chattanooga, TN 37402	White Oak Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005
PAC020956	PAG-02 General Permit	Issued	Clean Express Auto Wash 4867 William Flynn Highway Harrisville, PA 16038	Brentwood Borough Whitehall Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005
PAC020578A-1	PAG-02 General Permit	Issued	Silverman Residence 737 Ekastown Road Sarver, PA 16055	Ohara Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15212 412-291-8005
PAC020899	PAG-02 General Permit	Issued	Southwood Hospital 2575 Boyce Plaza Road Pittsburgh, PA 15241	Upper Saint Clair Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005
PAC020777A-1	PAG-02 General Permit	Issued	Duquesne Light Company 2841 New Beaver Avenue Pittsburgh, PA 15233	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005
PAC630262	PAG-02 General Permit	Issued	Zachary Kane 2065 Henderson Avenue Washington, PA 15301	Chartiers Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC630285	PAG-01 General Permit	Issued	West Finley Cemetery Association 600 Funn Ridge Road West Finley, PA 15377	West Finley Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC600098	PAG-02 General Permit	Issued	NDA Lewisburg, LLC (David Newman) 8601 West Branch Highway Lewisburg, PA 17837	Kelly Township Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837 570-524-3860

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office

Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

**NUTRIENT MANAGEMENT PLAN
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Rushtown Poultry 970 Rushtown Road Danville, PA 17821	Northampton County	34.9	1,757.96	Layers	NA	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

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

SAFE DRINKING WATER

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

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant 2, 570-830-3077.

Construction Permit No. 5422507, Major Amendment, Public Water Supply.

Applicant	3C's Family Restaurant
Address	2212 Centre Turnpike Route 61 Orwigsburg, PA 17961
Municipality	West Brunswick Township
County	Schuylkill County
Consulting Engineer	Karen C. Pollock, P.E. Systems Design Engineering, Inc. 1032 James Drive Leesport, PA 19533
Application Received	August 1, 2022
Permit Issued	January 19, 2023
Description	4-Log treatment of viruses

Operation Permit No. 2520070, Public Water Supply.

Applicant	Community Utilities of Pennsylvania, Inc.
Address	570 Hallet Road East Stroudsburg, PA 18301
Municipality	Lehman Township
County	Pike County
Consulting Engineer	Emily Ann Long State Operations Manager Community Utilities of Pennsylvania, Inc. 570 Hallet Road East Stroudsburg, PA 18301
Application Received	December 2, 2022
Permit Issued	March 16, 2023

Description	Issuance of an Operation Permit for the Designation of Optimal Water Quality Parameters.
Construction Permit No. 3922506 , Major Amendment, Public Water Supply.	
Applicant	Borough of Catasauqua
Address	90 Bridge Street Catasauqua, PA 18032
Municipality	Catasauqua Borough
County	Lehigh County
Consulting Engineer	Vanessa Nedrick, P.E. Remington & Vernick Engineers 1010 Stony Hill Road Suite 175 Yardley, PA 19067
Application Received	May 4, 2022
Permit Issued	August 22, 2022
Description	Emergency interconnections between the Borough of Catasauqua and the Northampton Borough Municipal Authority water supply systems.

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nicole Mechtly, Clerical Supervisor II, 570-327-3490.

Operation Permit 0820502. PWSID No. **2080884**. **DG # 21642 Burlington**, 950 East Main St., Suite 107, Schuylkill Haven, PA 17972, Burlington Borough, **Bradford County**. Application received: March 8, 2023. Permit Issued: March 15, 2023. This permit authorizes the operation of an Up-Flow Filter, UV disinfection system, Reverse Osmosis System and Water Softener for the treatment of well-drawn groundwater from Well No. 1. This approval includes Well No. 1 as a source of supply, ATS Up-flow Water Filter Model UF1252D, ATS LT-AE7300 Series Water Softener Model ATS LT-AE7300, ATS ASV-13.5C Ultraviolet disinfection system, Solenoid valve, a HM Digital TDS DM-2 monitor, REO-Pure RO Filter Model LP3-WMS-750 Reverse Osmosis Unit and its components, Watts Series LF007 Double Check Valve Assembly that will be placed to prevent a cross connection with the waste system, sampling ports, pressure tank, isolation valve and the distribution system. Note that the entire water system is now approved by a public water supply construction permit under 25 Pa. Code § 109.503 and no longer qualifies for noncommunity approval under § 109.505.

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Filip, Environmental Engineer, 717-705-4708.

Operation Permit 7010942. PWSID No. **7010942**. **48Forty Solutions, LLC**, P.O. Box 846, Biglerville, PA 17307, Butler Township, **Adams County**. Application received: March 17, 2023. Permit Issued: March 21, 2023. Relocation of the existing treatment to a new building.

NCWSA Operation Permit 7220802. PWSID No. **7220802**. **JLM Real Estate Investments, LLC**, 950 East Main Street, Schuylkill Haven, PA 17972, East Hanover Township, **Dauphin County**. Application received: March 9, 2023. Permit Issued: March 9, 2023. Operation of the Dollar General—Grantville water system.

NCWSA Operation Permit 7011040. PWSID No. **7011040**. **New Oxford (Brush Run), DPP, LLC**, 9010 Overlook Boulevard, Brentwood, TN 37027, Mount Pleasant Township, **Adams County**. Application received: February 23, 2023. Permit Issued: March 13, 2023. Operation of the Dollar General (Brush Run)—New Oxford water system with sodium hypochlorite disinfection and GWR 4-log inactivation of viruses.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epsdsw@pa.gov.

NCWSA Construction Permit 5040321. PWSID No. **5040321**. **Unionville United Methodist Church**, 1297 Route 68, Rochester, PA 15074, New Sewickley Township, **Beaver County**. Application received: December 12, 2022. Permit Issued: March 16, 2023. Installation of two Greensand filters at the Unionville United Methodist Church.

Water Allocation Permit WA11-145A. PWSID No. **4110046**. **Lilly Borough Water Authority**, 421 Main Street, Lilly, PA 15938, Lilly Borough, **Cambria County**. Application received: February 23, 2023. Permit Issued: March 15, 2023. Recission of Water Allocation Permit No. WA11-1451A.

Operation Permit 1122501. PWSID No. **4110380**. **Summerhill DPP, LLC**, 9010 Overlook Boulevard, Brentwood, TN 37027, Croyle Township, **Cambria County**. Application received: March 8, 2023. Permit Issued: March 17, 2023. Summerhill Dollar General transient non-community water system (including raw water storage, pumping, disinfection, filtration, and softening).

Construction Permit 0221515MA. PWSID No. **5020038**. **Pittsburgh Water and Sewer Authority**, Penn Liberty Plaza 1, 1200 Penn Avenue, Pittsburgh, PA 15222, City of Pittsburgh, **Allegheny County**. Application received: May 22, 2021. Permit Issued: March 9, 2023. Construction permit issued to reconstruct approximately 4,200 feet of 48-inch and 36-inch diameter watermain as part of the Four Mile Run watermain relocation project.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of

the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

The Department has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Kingsley E 6H Unconventional Well Site, Primary Facility ID # **863138**, 1030 Keir Hill Rd, Troy, PA 16947, Springfield Township, **Bradford County**. Moody and Associates, Inc., 101 N. Main Street, Suite 3, Athens, PA 18810, on behalf of Blackhill Energy, LLC, 4600 J Barry Court, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with production fluid. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

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

Contact: Eric Supey, Environmental Program Manager.

Former Buck Hill Falls Garage and Maintenance Area, Primary Facility ID # **683474**, 196 Golf Road/114 Roak Oak Lane, Buck Hill Falls, PA 18323, Barrett Township, **Monroe County**. Austin James Associates, P.O. Box 121, 305 Manor Drive, Pocono Manor, PA 18349, on behalf of Initram, LLC, 8245 Boone Boulevard, Suite 400, Tyson, VA 22182, submitted a Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with petroleum. The Cleanup Plan/Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

CORRECTION—previously published on March 11, 2023

Former Allenport Steel Mill Property, Primary Facility ID # **859358**, 1 Wheeling Pitt Drive, Allenport, PA 15412, Allenport Borough, **Washington County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Mon River Industrial Group, LLC, P.O. Box 249, Allenport, PA 15412, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with 1,1,1-trichloroethane, 1,1-dichloroethane, 1,2,4-trimethylbenzene, 1,2-dichlorobenzene, 1,3,5-trimethylbenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 2-butanone, 2-hexanone, 4-methyl-2-pentanone, acetone, benzene, carbon disulfide, cis-1,2-dichloroethene, cyclohexane, ethylbenzene, isopropyl benzene, methyl acetate, methyl cyclohexane, tetrachloroethene, toluene, trichloroethene, vinyl chloride, xylenes, 2-methylnaphthalene, acenaphthene, acenaphthylene, acetophenone, anthracene, benzaldehyde, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(ghi)perylene, benzo(k)fluoranthene, bis(2-ethylhexyl)phthalate, carbazole, chrysene, dibenzo(a,h)anthracene, dibenzofuran, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, p-chloro-m-cresol, phenanthrene, pyrene, aroclor 1242, aroclor 1248, aroclor 1254, aroclor 1260, aroclor 1268, arsenic, barium, cadmium, chromium (criii), chromium (crvi), lead, mercury, selenium, and silver for soil; chloroform, trichlorofluoromethane, acenaphthene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(ghi)perylene, bis(2-ethylhexyl)phthalate, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene, pentachlorophenol, arsenic, barium, cadmium, chromium, lead, mercury, and selenium for groundwater. The Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, docu-

mentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport 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 DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

The DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager; 570-327-3716.

DTB Flash Transport LLC, Primary Facility ID # **860653**, State Route 42 Southbound, Muncy Valley, PA 17758, Davidson Township, **Sullivan County**. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of DTB Flash Transport LLC, 2917 South 157th Circle, Omaha, NE 68130, submitted a Final Report concerning remediation of soil contaminated with diesel fuel and used motor oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 24, 2023.

Cornwall Turkey Unit 7H Unconventional Well Site, Primary Facility ID # **863962**, 1151 Fox Hollow Road, Trout Run, PA 17771, Lewis Township, **Lycoming County**. Moody and Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Range Resources—Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with production fluid. The Final Report demonstrated attainment of the Statewide health standards. Approved: January 26, 2023.

Eastern Gas Transmission & Storage, Inc.—State Line Compressor Station, Primary Facility ID

842767, 671 O'Donnell Road, Genesee, PA 16923, Genesee Township, **Potter County**. SE Technologies LLC, 500 Mosites Way, Suite 100, Pittsburgh, PA 15205, on behalf of Eastern Gas Transmission & Storage Inc., 925 White Oaks Boulevard, Bridgeport, WV 26330, submitted a Final Report concerning remediation of soil and groundwater contaminated with Ethylene Glycol. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 16, 2023.

American Bulk Equipment Accident Cleanup, Primary Facility ID # **863217**, Along US 322 approximately 1/4-mile past PA 26 on-ramp, Lemont, PA 16801, College Township, **Centre County**. R&J Trucking, Inc., 8063 Southern Boulevard, Youngstown, OH 44512, on behalf of R&J Trucking, 8063 Southern Boulevard, Youngstown, OH 44512, submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report did not demonstrate attainment of the Statewide health standards. Disapproved: March 17, 2023.

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

Contact: Eric Supey, Environmental Program Manager.

M. Abbott Pad 1, Primary Facility ID # **861864**, 524 Williams Pond Road, New Milford, PA 18834, Bridgewater 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 contaminated with hydraulic oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 16, 2023.

108 Lily Pond Drive, Primary Facility ID # **862615**, 108 Lily Pond Drive, Shohola, PA 18458, Shohola Township, **Pike County**. Bluestone Environmental, 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Evette Castillo, 134-03 Sitka Street, Ozone Park, NY 11417, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 20, 2023.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Environmental Cleanup & Brownfields Program Manager; 717-705-4705.

Seakeeper Bldg. 6F, Primary Facility ID # **862899**, 6 Front Street Plaza, Mohnton, PA 19540, Mohnton Borough, **Berks County**. Liberty Environmental, Inc., 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of Moser Partnerships, LLC/Seakeeper, Inc., 5460 Pottstown Pike, Leesport, PA 19533, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil contaminated with Metals & PAH Contaminants. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: March 6, 2023.

1501 North George Street, Primary Facility ID # **830589**, 1501 North George Street, York, PA 17404,

Manchester Township, **York County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of George Street Investors, LLC, P.O. Box 429, Conshohocken, PA 19428, submitted a Final Report concerning remediation of soil and groundwater contaminated with unleaded and leaded gasoline. The Final Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: March 9, 2023.

Former Wilbur Chocolate Factory, Primary Facility ID # **830045**, 48 North Broad Street & 120 Warwick Street, Lititz, PA 17543, Lititz Borough, **Lancaster County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of 48 North Broad Street, LLC, 1650 Manheim Pike, Suite 201, Lancaster, PA 17601, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with PAHs & Metals. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: March 13, 2023.

Starner Residence, Primary Facility ID # **855889**, 3900 York Road, Furlong, PA 18925, Mount Pleasant Township, **Adams County**. Weaver Consultants Group, LLC, 2225 Sycamore Street, Harrisburg, PA 17111, on behalf of Ms. Julie Starner, 465 Montgomery Street, Salinas, CA 93907, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: March 13, 2023.

Former Gulf Service Facility No. 142574, Primary Facility ID # **863572 & 21-09181**, 1156 Harrisburg Pike, Carlisle, PA 17013, Middlesex Township, **Cumberland County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of Middlesex Associates, P.O. Box 815, Enola, PA 17025, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with Petroleum Impacts. The Report demonstrated attainment of the Statewide health and site-specific standards. Approved: March 20, 2023.

811 E. Canal Street, Primary Facility ID # **864225**, 811 East Canal Street, Lebanon, PA 17046, North Lebanon Township, **Lebanon County**. Crawford Environmental Services, LLC, 1156 Harrisburg Pike, Carlisle, PA 17013, on behalf of Kreiser Fuel Services, 122 Racehorse Drive, Jonestown, PA 17038, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 21, 2023.

811 E. Canal Street, Primary Facility ID # **864225**, 811 East Canal Street, Lebanon, PA 17046, North Lebanon Township, **Lebanon County**. Crawford Environmental Services, LLC, 1156 Harrisburg Pike, Carlisle, PA 17013, on behalf of Ms. Karen Carroll, 208 East Maple Street, Cleona, PA 17042, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 21, 2023.

HAZARDOUS WASTE TRANSPORTER LICENSE

Action(s) Taken on Hazardous Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.

Transporter License Reissued

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

Republic Environmental Systems (Transportation Group) LLC, 21 Church Road, Hatfield, PA 19440. **License No. PA-AH 0317**. Application received: March 8, 2023. Effective March 8, 2023.

Predator Trucking Company, P.O. Box 315, McDonald, OH 44437. **License No. PA-AH 0787**. Application received: March 3, 2023. Effective March 9, 2023.

AES Assest Acquisition Corporation d.b.a. American Transportation Services LLC (ATS), 933 First Avenue, King of Prussia, PA 19406. **License No. PA-AH 0825**. Application received: March 2, 2023. Effective March 9, 2023.

Wade Salvage, Inc., 382 Jackson Road, Atco, NJ 08004. **License No. PA-AH S246**. Application received: March 3, 2023. Effective March 14, 2023.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Action(s) Taken on Regulated and Chemotherapeutic Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); Act 93 of June 28, 1988 (P.L. 525, No. 93); and Regulated Medical and Chemotherapeutic Regulations to Transport Regulated Medical and Chemotherapeutic Waste.

Transporter License Reissued

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

Daniels Sharpmart, Inc., 111 W Jackson Boulevard, Chicago, IL 60604. **License No. PA-HC 0254**. Received on February 21, 2023. Effective March 9, 2023.

Emergi-Clean, Inc., 207 Old York Road, Flemington, NJ 08822. **License No. PA-HC 0284**. Received on March 14, 2023. Effective March 14, 2023.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Northcentral Region: Waste Management Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Lisa D. Houser, P.E., Facilities Manager, 570-327-3740.

PAD003043353. Cherokee Pharmaceuticals, LLC, a Subsidiary of Merck, Sharpe, and Dohme LLC, 100 Avenue C, Riverside, PA 17868, Riverside Borough, **Northumberland County**. Permit to operate a hazardous waste management facility. Application received: August 28, 2020. Permit issued: March 20, 2023.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, 570-327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

Actions(s) Taken on Registration(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and 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.

Northwest Region: Waste Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848.

WMGR163NW001. Shawmut Grade PW Facility, Shawmut Grade Road, Wilcox, PA 15870, Sergeant Township, **McKean County.** General Permit Application Registration (WMGR163) for loading/unloading areas, aboveground produced water storage tanks, associated piping and appurtenances within secondary containment for the storage and transfer of liquid waste. Application received: December 22, 2022. Issued: March 16, 2023.

Persons interested in reviewing the permit may contact Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: John L. Oren, P.E., Permits Chief.

WMGR025SC005. Earthserv, 723 Puzzletown Road, Duncansville, PA 16635, Blair Township, **Blair County.** This application is for coverage under WMGR025 for the site at John Harker Farm located at 3868 Harker Farm Lane, Duncansville, PA 16635. This permit authorizes the processing and beneficial use of source-separated wastes including a) agriculture waste other than mortalities; b) butcher waste other than whole carcass; c) food processing waste; d) pre-consumer and post-consumer food residuals; e) yard waste; f) land clearing and grubbing material; g) untreated wood waste; h) gypsum wallboard; i) paper; j) cardboard; k) waxed cardboard; l) virgin paper mill sludge; and m) spent mushroom waste for use as a soil conditioner, soil amendment, fertilizer, mulch or for erosion control. Application received: August 11, 2022. Issued: March 9, 2023.

Persons interested in reviewing the permit may contact John L. Oren, P.E., Permits Chief, 717.705.4907,

Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and 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.

Northcentral Region: Waste Management Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Lisa D. Houser, P.E., Facilities Manager, 570-327-3740.

WMGR123NC043. SWN Production Company, LLC, 917 State Road 92 North, Tunkhannock, PA 18657, Herrick Township, **Bradford County.** Permit for storage of oil and gas liquid waste to be used as a water supply to develop or hydraulically fracture an oil or gas well. Application received: September 26, 2022. Issued: March 15, 2023.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, 570-327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Mohamad Mazid, Chief, Technical Services, RA-EPWM-SERO-PERMITS@pa.gov.

WMGR096SE012. DC Ambler Properties, LLC, 254 S Main Street, Ambler, PA 19002, Ambler Borough, **Montgomery County.** This approval is for the revocation of General Permit No. WMGR096SE012 and acceptance of the construction certification activity and record documentation report for the closure of Parcel E: TPN-01-00-01157-40-8 at the DC Ambler Properties Site (Former Nicolet Industries Site), located in the Borough of Ambler, Montgomery County. Application received: January 26, 2023. Revoked: March 15, 2023.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northcentral Region: Waste Management Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Lisa D. Houser, P.E., Facilities Manager, 570-327-3740.

100963. Lycoming County Resource Management Service, P.O. Box 187, 447 Alexander Drive, Montgomery, PA 17752, Brady Township, **Lycoming County**. Minor Modification for site utility improvements including the change in location of the Gregg Township Municipal Authority force main to an adjacent path along the existing West Branch Regional Authority and the removal replacement of existing landfill gas headers, and the grouting of the abandoned in-place HDPE leachate force main at east and west end of Field 11. Application received: October 31, 2022. Issued: March 14, 2023.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, 570-327-3740, Northcentral Region, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

AG5-18-00006C: EQT ARO, LLC, 625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222, Grugan Township, **Clinton County**. The Department authorized the construction and operation of new sources and continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the COP Tract 285 Compressor Station. The authorized sources are: two (2) 1,380 bhp Caterpillar model G3516B four-stroke lean-burn natural gas-fired compressor engines equipped with oxidation catalysts, one (1) 40 MMscf/day Valerus model GLY-DEHY-750 dehydration unit equipped with a 0.75 MMBtu/hr natural-gas fired reboiler and flash tank, one (1) COMM Engineering Combustor Model 2 enclosed flare for still vent control, two (2) 87 bhp Capstone model C65 Microturbine generators, two (2) 16,800-gallon produced water tanks, one (1) 2,100-gallon still vent condensate tank, two (2) 500-gallon lube oil tanks, one (1) 500-gallon engine coolant tank, one (1) 500-gallon triethylene glycol tank, one (1) 1,000-gallon waste oil tank, and associated fugitive components and blowdowns. Application received: February 15, 2023. Authorized: March 16, 2023. New expiration date: March 15, 2028.

AG5-41-00009C: EQT ARO, LLC, 625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222, Cascade Township,

Lycoming County. The Department authorized the construction and operation of new sources and continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Vargo Compressor Station. The authorized sources are: two (2) 1,380 bhp Caterpillar model G3516B four-stroke lean-burn natural gas-fired compressor engines equipped with oxidation catalysts, one (1) 35 MMscf/day J.W. Williams dehydration unit equipped with a 0.75 MMBtu/hr natural gas-fired reboiler and flash tank, one (1) COMM Engineering Combustor Model 2 enclosed flare, one (1) 195 bhp Caterpillar G3306TA four-stroke rich-burn natural gas-fired emergency engine equipped with a three-way catalyst, one (1) 87 bhp Capstone model C65 Microturbine generator, two (2) 16,800-gallon produced water tanks, one (1) 2,100-gallon still vent condensate tank, two (2) 500-gallon lube oil tanks, one (1) 520-gallon coolant tank, two (2) 250-gallon compressor oil tanks, one (1) 500-gallon engine coolant tank, one (1) 500-gallon triethylene glycol tank, one (1) 1,000-gallon waste oil tank, truck load-out operations for produced water, miscellaneous gas venting, pigging operations and fugitive emissions from component leaks. Application received: February 28, 2023. Authorized: March 16, 2023. New expiration date: March 15, 2028.

AG5-41-00010C: EQT ARO, LLC, 625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222, Cogan House Township, **Lycoming County**. The Department authorized the construction and operation of new sources and continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Lycoming Hunt & Fish Club Compressor Station. The authorized sources are: four (4) 1,380 bhp Caterpillar model G3516TB four-stroke lean-burn natural gas-fired compressor engines equipped with oxidation catalysts, two (2) 35 MMscf/day J.W. Williams dehydration unit equipped with a 0.75 MMBtu/hr natural gas-fired reboiler and flash tank, two (2) COMM Engineering Combustor Model 2 enclosed flares for still vent control, one (1) 195 bhp Caterpillar G3306TA four-stroke rich-burn natural gas-fired emergency engine equipped with three-way catalyst, two (2) 87 bhp Capstone model C65 Microturbine generators, two (2) 16,800-gallon produced water tanks, two (2) 2,100-gallon still vent condensate tanks, two (2) 500-gallon lube oil tanks, two (2) 250-gallon lube oil tanks, one (1) 500-gallon engine coolant tank, one (1) 500-gallon triethylene glycol tank, one (1) 1,000-gallon waste oil tank, truck load-out operations for produced water, miscellaneous gas venting, pigging operations and fugitive emissions from component leaks. Application received: February 15, 2023. Authorized: March 16, 2023. New expiration date: March 15, 2028.

AG5-41-00024A: EQT ARO, LLC, 625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222, Mifflin Township, **Lycoming County**. The Department has authorized the construction and operation of new sources and continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Larry's Creek Pad F Compressor Station. The authorized sources

are: one (1) 1,380 bhp Caterpillar model G3516B four-stroke lean-burn natural gas-fired compressor engine equipped with an oxidation catalyst, one (1) 40 MMscf/day J.W. Williams dehydration unit equipped with a 0.75 MMBtu/hr natural gas-fired reboiler burner, and flash tank, two (2) 5,650 watt Qnergy thermoelectric Stirling engine generator, four (4) 16,800-gallon produced water tanks, one (1) 520-gallon engine coolant tank, One (1) 1,000-gallon waste oil tank, one (1) 2,100-gallon still vent condensate tank, one (1) COMM Engineering Combustor Model 2 enclosed flare, three (3) 2.0 MMBtu/hr gas processing units, truck load-out operations for produced water, miscellaneous gas venting, pneumatic emissions, and fugitive emissions from component leaks. Application received: February 28, 2023. Authorized: March 17, 2023. Expiration date: March 16, 2028.

AG5-41-00005D: EQT ARO, LLC, 625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222, Cogan House Township, **Lycoming County**. The Department authorized the construction and operation of new sources and continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Elbow Pad B Compressor Station. The authorized sources are: two (2) 1,380 bhp Caterpillar model G3516B four-stroke lean-burn natural gas-fired compressor engines equipped with oxidation catalysts, one (1) 40 MMscf/day J.W. Williams dehydration unit equipped with a 1.15 MMBtu/hr natural gas-fired reboiler and flash tank, one (1) 87 bhp Capstone model C65 Microturbine generator, one (1) 4,200-gallon dehy unit produced water tank, two (2) 500-gallon engine oil tanks, one (1) 520-gallon engine coolant tank, one (1) 1,000-gallon produced fluids tank, one (1) 2,250-gallon engine oil tank, truck load-out operations for produced water, miscellaneous gas venting, pigging operations, fugitive emissions from component leaks, eight (8) gas processing units (GPUs) associated with the co-located Well Pad B, four (4) produced fluids tanks associated with the co-located Well Pad B, one (1) 2,100-gallon still vent condensate tank, one (1) COMM Engineering Combustor Model 2 enclosed flare, one (1) 5,650 watt Qnergy thermoelectric generator. Application received: February 28, 2023. Authorized: March 17, 2023. New expiration date: March 16, 2028.

AG5-14-00002B: EQT ARO, LLC, 625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222, Snow Shoe Township, **Centre County**. The Department authorized the construction and operation of new sources and continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the COP Tract 231 Compressor Station. The authorized sources are: one (1) 690 bhp Caterpillar model G3508TA four-stroke lean-burn natural gas-fired compressor engines equipped with oxidation catalysts, one (1) 30 MMscf/day J.W. Williams dehydration unit equipped with a 0.65 MMBtu/hr natural gas-fired reboiler and flash tank, one (1) COMM Engineering Combustor model 2 enclosed flare for still vent control, one (1) 5,650 watt thermoelectric Stirling engine generator, one (1) 16,800-gallon produced water tank, one (1) 2,100-gallon still vent condensate tank, one (1) 1,000-gallon lube oil tank, one (1) 500-gallon waste oil tank, truck load-out operations for produced water, miscellaneous gas venting, pigging operations, and fugitive emis-

sions from component leaks. Application received: February 28, 2023. Renewal issued: March 21, 2023. New expiration date: March 20, 2028.

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

AG5-17-00007A: Greylock Production, LLC, 500 Corporate Landing, Charleston, WV 25311, Jordan Township, **Clearfield County**. Was issued on March 14, 2023, a GP-5 re-authorization for the continued operation of the Ansonville Compressor Station pursuant to the PA DEP Air Quality Bureau's General Plan Approval and General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5). Application received: February 7, 2023. Issued: March 14, 2023.

AG5-59-00027A: UGI Texas Creek, LLC, 835 Kittaning Mills Way, Wyomissing, PA 19610, Gaines Township, **Tioga County**. For authorization to construct and operate a 1,380 bhp Caterpillar G3516BLE compressor engine, a 0.05 MMBtu/hr fuel gas heater and a 0.07 MMBtu/hr thermoelectric generator as well as continue operating existing sources including two 10 MMscfd TEG dehydrators and other associated equipment pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at their Pierson 810 Compressor Station. Application received: February 9, 2023. Issued: March 15, 2023.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

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

GP3-40-039: Mericle Construction, Inc., 100 Baltimore Drive, Wilkes-Barre, PA 18702, Pittston Township, **Luzerne County**. For the relocation of a portable crushing operation with water sprays to the CenterPoint West site in Pittston Township, Luzerne County. Application received: March 1, 2023. Issued: March 7, 2023.

GP9-40-039: Mericle Construction, Inc., 100 Baltimore Drive, Wilkes-Barre, PA 18702, Pittston Township, **Luzerne County**. For the relocation of the engines associated with the portable crushing operation to the CenterPoint West site in Pittston Township, Luzerne County. Application received: March 1, 2023. Issued: March 7, 2023.

Contact: Shailesh Patel, Air Quality Engineer 570-826-2341.

GP1-13-001: St. Luke's Health Network, Inc., 211 North 12th Street, Lehigh, PA 18235, Lehigh Township, **Carbon County**. GP1-13-001: St. Luke's Health Network Inc., St. Luke's Hospital—Lehighon Campus (211 North 12th Street, Lehigh, PA 18235) on March 15, 2023, the general Operating Permit GP1 issued for the operation of two (2) natural gas oil fired boilers at facility located in Lehighon Borough, Carbon County. Application received: March 1, 2023. Issued: March 15, 2023.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

GP2-06-05064A: Energy Transfer Marketing & Terminals, LP, 8111 Westchester Drive, Dallas, TX 75225,

Spring Township, **Berks County**. For the reactivation of a volatile organic liquid storage tank, under GP2, at the petroleum products distribution terminal. Application received: February 15, 2023. Issued: March 17, 2023.

GP1-36-03131A: College Avenue Property Holdings, LLC, 11433 Cronridge Drive, Owings Mills, MD 21117, City of Lancaster, **Lancaster County**. For an existing boiler under GP1, at the former Lancaster Regional Medical Center. The GP was re-authorized for use at this site to reflect a change of ownership. Application received: March 7, 2023. Issued: March 20, 2023.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

GP1-23-0165: Upper Darby School District/Upper Darby High School, 601 N. Lansdowne Avenue, Upper Darby, PA 19082-5425, Upper Darby Township, **Delaware County**. This action is for a General Plan Approval and General Operating Permit for use of three (3) small natural gas fired combustion units at the facility. Application received: February 17, 2023. Issued: March 17, 2023.

GP9-23-0014: Covanta Delaware Valley, L.P.—Delaware Valley Resource Recovery Facility, 10 Highland Avenue, Chester, PA 19013-2231, City of Chester, **Delaware County**. This action is for a General Plan Approval and General Operating Permit for eleven (11) units of Diesel Fired Internal Combustion Engines. Application received: March 10, 2023. Issued: March 17, 2023.

Actions(s) Taken on Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

67-05098D: Kinsley Construction Inc., Ensminger & Williams Quarries, P.O. Box 2886, York, PA 17405-2886, West Manchester Township, **York County**. For the addition of jaw and cone crushers, screens and conveyors at the limestone quarry. Application received: November 28, 2022. Issued: March 16, 2023.

67-03143D: ESAB Group, Inc., 1500 Karen Lane, Hanover, PA 17331, Hanover Borough, **York County**. For welding wire rewind lines and fabrication lines with control system. Application received: September 15, 2022. Issued: March 16, 2023.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-03221A: CK Manufacturing LLC, 330 Millwood Road, Lancaster, PA 17603, Pequea Township, **Lancaster County**. For the light-duty truck body and barn stall railings coating booth. Application received: September 21, 2022. Issued: March 17, 2023.

06-03049A: US Anodize, 153 Wagner Lane, Reading, PA 19601, Bern Township, **Berks County**. For the installation of two (2) new scrubbers to replace three (3) old scrubbers at the aluminum anodizing and bright dip facility. Application received: October 2, 2022. Issued: March 20, 2023.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

08-00010P: Global Tungsten & Powders Corp., 1 Hawes Street, Towanda, PA 18848, Towanda Township, **Bradford County**. To extend the authorization to operate the sources pursuant to the plan approval from March 14, 2023 to September 10, 2023, at their Towanda Facility. The plan approval has been extended. Application received: February 16, 2023. Revised: March 13, 2023.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

09-0210B: Waste Management of Fairless, LLC, 1000 New Ford Mill Rd, Fairless Hills, PA 19030, Falls Township, **Bucks County**. This action is for a modification of a plan approval to limit the allowable flow of landfill gas to each ULE flare to 5,000 scfm at 60 deg. F and 14.7 psia for the existing flares at the facility. Application received: May 2, 2022. Issued: March 16, 2023.

09-0236: Covanta Metals Mkt, LLC, 500 Middle Dr, Fairless Hills, PA 19030-5019, Falls Township, **Bucks County**. This action is for an extension of a plan approval for the construction and operation of a Non-Ferrous Metal recovery facility as well as reconfigure the ductwork. Application received: February 7, 2023. Issued: March 10, 2023.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Sheri Guerrieri, P.E., New Source Review Chief, 412-442-4174.

PA-30-00233B: Hill Top Energy Center, LLC, 278 Thomas Road, Carmichaels, PA 15320, Cumberland Township, **Greene County**. To extend the temporary operation period for the Hill Top Energy Center natural gas-fired combined cycle power plant located in Cumberland Township, Greene County. The new expiration date is September 28, 2023. Application received: January 23, 2023. Approved: March 16, 2023.

PA-30-00170B: Laurel Mountain Midstream Operating, LLC, 232 Falls Hollow Road, Greensboro, PA

15338, Greene Township, **Greene County**. Effective March 28, 2023, to extend the period of temporary operation of two (2) Caterpillar G3516B lean burn natural gas-fired compressor engine rated at 1,380 bhp at the existing Brown Compressor Station located in Greene Township, Greene County. Application received: February 13, 2022. Issued: March 16, 2023. New Expiration: September 28, 2023.

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

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

59-00017: Victaulic Co., P.O. Box 31, Easton, PA 18044, Lawrence Township, **Tioga County**. Was issued a renewal State Only (Synthetic Minor) Operating Permit for their Lawrenceville Plant. The State Only (Synthetic Minor) Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: October 10, 2022. Issued: March 14, 2023.

18-00013: UPMC Lock Haven, 24 Cree Drive, Lock Haven, PA 17745, City of Lock Haven, **Clinton County**. Was issued a renewal State Only Operating Permit for the operation of facility located in the City of Lock Haven, Clinton County. The facility's primary emissions sources are three natural gas fired boilers and three diesel emergency generators. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: March 11, 2022. Issued: March 15, 2023.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Norm Frederick 570-826-2409.

54-00091: Blue Mountain Enterprises Services, 1246 Deturkville Rd., Pine Grove, PA 17963-8378, Pine Grove Township, **Schuylkill County**. The Department issued a new State-Only (Natural Minor) Permit for the operation of Agriculture—Animal Specialty Services facility in Pine Grove Township, Schuylkill County. The sources consist of a rotary dryer, shaver, screen, and storage. The control devices are cyclones. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: March 30, 2022. Permit issued: March 15, 2023.

40-00049: Pennsy Supply Inc./Small Mt. Quarry & HMA, 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110-

9422, Dorrance Township, **Luzerne County**. The Department issued a renewal State-Only (Synthetic Minor) Permit for the operation of an asphalt plant and minerals manufacturing facility in Dorrance Township, Luzerne County. The sources consist of a Hot Mix Asphalt Plant, and Jaw, Primary, and Secondary Cone Crushers. The control devices are a baghouse and water sprays. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: August 16, 2022. Renewal issued: March 17, 2023.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

67-05098: Kinsley Construction, Inc., P.O. Box 2886, York, PA 17405-2886, West Manchester Township, **York County**. For the stone crushing and processing operations at the Ensminger and Williams Quarry. The State-Only permit was renewed. Application received: November 21, 2022. Issued: March 16, 2023.

67-03033: Sheridan Press, Inc., 450 Fame Avenue, Hanover, PA 17331-1585, Penn Township, **York County**. For the lithographic printing facility. The State-Only permit was renewed. Application received: August 29, 2022. Issued: March 20, 2023.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

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

61-00206: Ferrellgas Blue Rhino Grove City, 1028 Stevenson Road, Grove City, PA 16127-7918, Barkeyville Borough, **Venango County**. The Department issued an administrative amendment to the State Only Operating Permit to incorporate the change of ownership and responsible official for the facility. Application received: December 27, 2022. Revised: March 9, 2023.

10-00368: MarkWest Liberty Bluestone LLC, Bluestone Gas Processing Plant, 4600 J Barry Court, Suite 500, Canonsburg, PA 15317, Jackson Township, **Butler County**. The Department issued an administrative amendment to the Title V Operating Permit to incorporate the change of responsible official for the facility. Application received: January 10, 2023. Revised: March 15, 2023.

10-00370: Markwest Liberty Bluestone LLC Trilith Compressor Station, 4600 J Barry Court, Suite 500, Canonsburg, PA 15317, Lancaster Township, **Butler County**. The Department issued an administrative amendment to the State Only Operating Permit to incorporate the change of responsible official for the facility. Application received: January 10, 2023. Revised: March 15, 2023.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

06-05033: Texas Eastern Transmission LP, 915 N. Eldridge Parkway, Suite 1100, Houston, TX 77079, North Heidelberg Township, **Berks County**. For the Bernville natural gas transmission station. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-05033A. Application received: October 31, 2022. Issued: March 20, 2023.

Operating Permit(s) Denied, Terminated, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

GP1-09-0108: Tullytown Holdings LLC, 100 Main St, Tullytown, PA 19007, Tullytown Borough, **Bucks County**. This action is for the denial of the issuance of a General Plan Approval and/or General Operating Permit because the application was considered administratively incomplete. As per Condition # 10 of the General Plan Approval and/or General Operating Permit, the application fee was not submitted. Application received: February 22, 2023. Denied: March 20, 2023.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.

Contact: Melanie Ford-Wigfield, 814-472-1900, ra-ep cambria@pa.gov.

Mining Permit No. 56220101. NPDES No. PA0279846. Berwind Coal Sales Company, 509 15th Street, Windber, PA 15963, Paint Township, **Somerset County**. Commencement, operation and restoration of a bituminous surface mine affecting 101.2 acres. Receiving streams: Spruce Run flows to Shade Creek, classified for the following uses: CWF. Application received: January 2, 2022. Issued: March 21, 2023.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.

Mining Permit No. 02020201. Robindale Energy Services, Inc., 226 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, Plum Borough, **Allegheny County**. Permit renewal issued for reclamation only to an existing bituminous surface mine, affecting 172.0 acres. Receiving streams: Unnamed tributary to Little Plum Creek and Little Plum Creek, classified for the following use: WWF. Application received: July 18, 2022. Issued: March 17, 2023.

Noncoal Permits

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert, RA-EPNEWSTANTON@pa.gov.

Mining Permit No. 03142001. NPDES No. PA0278211. Holcim-MAR, Inc., 6401 Golden Triangle Drive, Suite 400, Greenbelt, MD 20770-3202, South Bend Township, **Armstrong County**. Revision application to add an additional 16.8 acres to an existing noncoal surface mine and associated NPDES permit, affecting 101.3 acres. Receiving stream: Crooked Creek, classified for the following use: WWF. Application received: August 6, 2021. Issued: March 16, 2023.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.

Blasting Permits

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 38234105. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, North Lebanon Township, **Lebanon County**. Construction blasting for Lebanon Car Wash. Application received: March 7, 2023. Permit issued: March 14, 2023. Expiration date: March 7, 2024.

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 36234106. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, East Donegal Township, **Lancaster County**. Construction blasting for

Kenton Sweigert feed bunker. Application received: March 13, 2023. Permit issued: March 16, 2023. Expiration date: May 30, 2023.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Andrew Ross, Project Manager, 570-327-3565.

E1404223-001. Centre County, 420 Holmes St, Bellefonte, PA 16823, Howard Borough, **Centre County**. U.S. Army Corps of Engineers Baltimore District.

The permittee is authorized removal of the existing single span concrete encased steel I-beam bridge on stone masonry abutments, and construction and maintenance of a new precast reinforced concrete box culvert with precast end sections. This project is to provide safe crossing over Lick Run (HQ-CWF, MF). The project proposes .04 acre of permanent watercourse impacts, and .15 acre of permanent floodway impacts. No wetland impacts are proposed. Latitude: 41° 00' 50", Longitude: -77° 39' 05". Application received: January 4, 2023. Issued: March 15, 2023.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Michele Lauer, Clerical Assistant, 570-830-3077.

E3902222-008. Upper Saucon Township, 5500 Camp Meeting Road, Center Valley, PA 18034, Upper Saucon Township, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District.

To replace 1,628 feet of 8-inch ductile iron pipe water main, including 2 tapping sleeves to existing water mains and a new 6-inch diameter fire hydrant line, which will cross UNT to Saucon Creek (HQ-CWF, MF) and 2 PEM riparian wetlands. Latitude: 40° 33' 17.5", Longitude: -75° 26' 39.2". Application received: October 14, 2022.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E2506222-015. Brandon Mueller, 235 North Shore Drive, Suite 300, Pittsburgh, PA 15212, City of Erie, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District.

To construct and maintain two personal watercraft lifts with permanent and seasonal floating docks for recreational purposes measuring approximately 50 feet long and extending approximately 42 feet into Presque Isle Bay—Lake Erie in front of Unit 21 condominium on the east side of Niagara Pier (Erie North, PA Quadrangle N: 42.128903°; W: -80.111796°) in Erie City, Erie County. Application received: October 3, 2022. Issued: March 20, 2023.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOGPRG@pa.gov.

ESCGP # 3 ESG290822044-00

Applicant Name **Chesapeake Appalachia, LLC**

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

Township(s) Terry Township

County **Bradford County**

Receiving Stream(s) and Classification(s) Tributary No.

29522 of Sugar Run (CWF, MF), Tributary No. 29523 of

Sugar Run (CWF, MF), S-BJT-022 to Trib No. 29522 of

Sugar Run (CWF, MF)

Application received: November 29, 2022

Issued: March 20, 2023

Northwest Region: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Kate Hogue Clerical Supervisor 814-332-6860.

ESCGP # 3 ESG080322008-00

Applicant Name **Snyder Brothers, Inc.**

Contact Person Carl Rose

Address P.O. Box 1022

City, State, Zip Kittanning, PA 16201

Township(s) Boggs Township

County **Armstrong County**

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

Fork Pine Creek (HQ-CWF)

Application received: December 15, 2022

Approved: March 14, 2023

Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: D. J. Stevenson, 412-442-4281.

ESCGP # 3 ESX160590062-01

Applicant Name **EQM Gathering OPCO, LLC**

Contact Person Gregg West

Address 2200 Energy Drive

City, State, Zip Canonsburg, PA 15317

Township(s) Aleppo Township, Springhill Township

County **Greene County**

Receiving Stream(s) and Classification(s) Coon Run &

UNTs to Coon Run WWF Fall Run and UNTs to Fall

Run WWF Pennsylvania Fork Fish Creek & UNTs to

Pennsylvania Fork Fish Creek WWF Harts Run &

UNTs to Harts Run WWF UNTs to Knob Run WWF

Secondary Receiving Water: Wheeling-Buffalo Creek

WWF

Application received: January 20, 2023

Renewed: March 14, 2023

ESCP # ESX17-003-0007

Applicant Name **Superior Appalachian Pipeline, LLC**

Contact Person Arthur Smith

Address 4000 Town Center Boulevard, Suite 220

City, State, Zip Canonsburg, PA 15317

Township(s) Frazier Township, Indiana Township

County **Allegheny County**

Receiving Stream(s) and Classification(s) Little Deer

Creek and UNTs thereto (TSF); Long Run and UNTs

thereto (CWF)

Application received: November 16, 2022

Renewed: March 17, 2023

**CORRECTIVE ACTION UNDER
ACT 32, 1989**

PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

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

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

7-Eleven Store 40415, Storage Tank Facility ID # **49-16762**, 4328 SR 147, Herndon, PA 17830, Lower

Mahanoy Township, **Northumberland County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Way, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

Contact: Eric Supey, Environmental Program Manager.

Sunoco 0363 0233, Storage Tank Facility ID # **40-24230**, 308 South Main Street, Pittston, PA 18640, City of Pittston, **Luzerne County**. Groundwater & 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 Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health and site-specific standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Greg Bowman, Environmental Group Manager.

Rutters Farm Store 34A, Storage Tank Facility ID # **36-34326**, 370 W Main St, Leola, PA 17540-1761, Upper Leacock Township, **Lancaster County**. United Environmental Services, Inc., P.O. Box 71, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 N Susquehanna Trail, York, PA 17404-8495 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with Petroleum Constituents. The plan is intended to document the remedial actions for meeting Statewide health standards.

Contact: Robin L. Yerger.

RH Crawford, Storage Tank Facility ID # **67-15972**, 425 Poplar St, Hanover, PA 17331, Hanover Borough, **York County**. P. Joseph Lehman, Inc., P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Robert Crawford, 341 Moulstown Rd, Hanover, PA 17331 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report is intended to document the remedial actions for meeting residential Statewide health standards.

Former Getty Station, Storage Tank Facility ID # **21-11695**, 1070 Trindle Rd, Carlisle, PA 17013, South Middleton Township, **Cumberland County**. Aetna USA, Inc., 535 Rte 38, Ste 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Mkt, Inc., 2520 Lititz Pk, Neffsville, PA 17601 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report is intended to document the remedial actions for meeting site-specific standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Sunoco 0363 3955, Storage Tank Facility ID # **09-30717**, 1432 Street Rd., Eddington, PA 19020, Bensalem Township, **Bucks County**. Aquaterra Technologies, Inc., 901 S. Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Sunoco Retail, LLC c/o Evergreen Resources Group, Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential site-specific standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

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

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

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

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

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Jim's Service Station, Storage Tank Facility ID # **59-26736**, 314 Main Street, Blossburg, PA 16912, Blossburg Borough, **Tioga County**. Juniata Geosciences, LLC, 6872 Willow Brook Road, Blossburg, PA 16611, on behalf of Jim's Service Station, 314 Main Street, Blossburg, PA 16912 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on February 23, 2023.

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

Contact: Eric Supey, Environmental Program Manager.

Interstate Texaco, Storage Tank Facility ID # **54-50229**, 1320 Morea Road, Barnesville, PA 18214, Mahanoy Township, **Schuylkill County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of PAS Real Estate, Inc., 5289 Route 115, Blakeslee, PA 18610 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was acceptable to meet the site-specific standards and was approved by DEP on March 16, 2023.

Getty 69261, Storage Tank Facility ID # **39-41527**, 741 North Cedar Crest Boulevard, Allentown, PA 18104, South Whitehall Township, **Lehigh County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Sheha, LLC, 102 West Tilghman Street, Allentown, PA 18102 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was not acceptable to meet the site-specific standards and was disapproved by DEP on March 17, 2023.

Unimart 4345, Storage Tank Facility 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 Trust, 450 South Orange Avenue, Suite 900, Orlando, FL 32801 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on March 21, 2023.

Countryside Quik Mart, Storage Tank Facility ID # **40-51992**, 48 Hunlock-Harveyville Road, Hunlock Creek, PA 18621, Union Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Kuber Property, LLC, 24 Doe Drive, Dallas, PA 18612 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on March 21, 2023.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Cherie M. Campbell, Soil Scientist.

Rutters Farm Store 34A, Storage Tank Facility ID # **36-34326**, 370 W Main St, Leola, PA 17540-1761, Upper Leacock Township, **Lancaster County**. United Environmental Services, Inc., P.O. Box 71, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 N Susquehanna Trail, York, PA 17404-8495 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with Petroleum Constituents. The plan was not acceptable to meet the Statewide health standards and was disapproved by DEP on March 21, 2023.

Contact: Michael Stefanic.

Hutters Stores, Storage Tank Facility ID # **38-60247**, 470 Jonestown Rd, Jonestown, PA 17038, Union Township, **Lebanon County**. P. Joseph Lehman, Inc., P.O. Box 419, Hollidaysburg, PA 16645, on behalf of Hutters Stores, Inc., 470 Jonestown Rd, Jonestown, PA 17038 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with Diesel Fuel. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on March 16, 2023.

Contact: Robin L. Yerger.

RH Crawford, Storage Tank Facility ID # **67-15972**, 425 Poplar St, Hanover, PA 17331, Hanover Borough, **York County**. P. Joseph Lehman, Inc., P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Robert Crawford, 341 Moulstown Rd, Hanover, PA 17331 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on March 20, 2023.

Former Getty Station, Storage Tank Facility ID # **21-11695**, 1070 Trindle Rd, Carlisle, PA 17013, South Middleton Township, **Cumberland County**. Aetna USA, Inc., 535 Rte 38, Ste 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Mkt, Inc., 2520 Lititz Pk, Neffsville, PA 17601 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report did not demonstrate attainment of the site-specific standards and was approved by DEP on March 16, 2023.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

A to Z Convenience Store, Storage Tank Facility ID # **02-03926**, 1617 West Street, Homestead, PA 15120, Homestead Borough, **Allegheny County**. Compliance Environmental Service, 2700 Kirila Boulevard, Hermitage, PA 16148, on behalf of Executor of the Estate of Robert B. Graham, 131 East 17th Avenue, Hermitage, PA 16148 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan residential was not acceptable to meet the Statewide health standards and was disapproved by DEP on March 20, 2023.

SPECIAL NOTICES

WATER PROGRAMS
EROSION AND SEDIMENT CONTROL

Central Office: Regional Permit Coordination Office,
Rachel Carson State Office Building, 400 Market Street,
Harrisburg, PA 17101.

Contact: RA-EPREGIONALPERMIT@pa.gov.

Permit No.	Applicant Name & Address	Counties	DEP Office
ESG830022004-00	National Fuel Gas Supply Corporation 6363 Main St Williamsville, NY 14221-5887	Potter 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.

Public Hearing: Smithfield Township Rutter's NPDES Application.

Southcentral Region: Waterways & Wetlands Program,
909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: 717-705-4802.

On May 3, 2023, beginning at 6:30 PM at the Smithfield Volunteer Fire Company (10 Firehouse Lane, Huntingdon, PA 16652), the Pennsylvania Department of Environmental Protection (DEP) will hold a public hearing regarding M&G Realty, Inc.'s application for a DEP Individual National Pollutant Discharge Elimination System permit for Stormwater Discharges Associated with Construction Activities (NPDES Construction Stormwater). M&G Realty, Inc., 2295 Susquehanna Trail, Suite C, York, PA 17404, proposes construction of a Rutter's convenience store/gas station along with parking lot, utilities and site improvements including turning lanes, stormwater management facilities, and utility services which include off-site sewer and water extensions, also known as Rutter's Huntingdon Store 93. The NPDES Construction Stormwater permit application no. is PAD310013 and the application proposes 7.03 acres of earth disturbance activity. Notice of receipt of M&G Realty, Inc.'s complete application and Notice of DEP's tentative determination to issue NPDES permit

ESG830022004-00. 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. The Line Z20 Modernization Project proposes to replace approximately 11.55 miles of existing 1930's steel natural gas pipeline within the existing right-of-way, involving approximately 129 acres of earth disturbance.

PAD310013 and draft permit has been published in this edition of the *Pennsylvania Bulletin*, dated April 1, 2023.

The purpose of the hearing is to collect public comments on the Individual NPDES Construction Stormwater permit application submitted and the Draft NPDES permit for this project. The DEP has already received written public comments and requests for DEP to hold a public hearing. The public comments received to date primarily express concerns about degradation of the adjacent wetlands and wildlife habitat, also known as the Old Crow wetlands, due to stormwater runoff, and potentially contaminated stormwater runoff from the proposed project, including gas station spills. Concerns about increased traffic, noise and light pollution and their effect on various fauna that may use the wetlands, and crime were also expressed.

The proposed Rutter's Huntingdon Store 93 site is located in Smithfield Township, Huntingdon County at the Southeast corner of the U.S. Rt. 22 and State Rt. 26 interchange in Huntingdon, PA, 16652. Stormwater discharges from the proposed project would be to an unnamed tributary to the Juniata River via wetlands. As identified in 25 Pa. Code § 93.9n—Drainage List N, the UNT to the Juniata River has a designated use of Warm Water Fishes, and Migratory Fishes. The wetlands are protected as "other" wetlands as identified in 25 Pa. Code § 105.17(2). The proposed stormwater discharges will be conveyed from the site's best management practices to the surface waters of the Commonwealth, generally along the western side of the project site. The best management practices and proposed discharge locations can be viewed at the project's DEP following webpage. M&G Realty, Inc.'s NPDES Construction Stormwater permit application, draft Individual NPDES Permit and Fact Sheet is available for public review at the DEP Southcentral Region Office (SCRO) or the SCRO's webpage: <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Community%20Information/Pages/Smithfield-Township-Rutter%E2%80%99s-93.aspx>.

Individuals who wish to offer testimony at the public hearing should register with John Repetz, Community Relations Coordinator for DEP's Southcentral Region, at 717-705-4904 or by email at jrepetz@pa.gov by 4:00 PM on May 2, 2023. Oral comments are limited to five minutes per person. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time to other speakers will be prohibited, and groups are asked to designate one speaker. Registration is not required simply to attend the hearing.

Individuals with questions regarding the hearing or application can also contact the DEP at 717-705-4802. Individuals wishing to schedule a file review at the SCRO should call 717-705-4732.

Written comments on this application or the draft NPDES permit will be accepted until 4:00 pm on May 18, 2023, and may be submitted to RA-EPWW-SCRO@pa.gov or mailed to the SCRO, Waterways and Wetlands Program, 909 Elmerton Ave., Harrisburg, PA 17110-8200. To assist with mail routing, DEP requests that mailed comments contain the following on the envelope: "Comments on Rutter Store #93, PAD310013."

DEP representatives will be on hand prior to the hearing from 5:45 to 6:15 pm so that the public may ask questions about the Individual NPDES permitting process and regulatory requirements.

[Pa.B. Doc. No. 23-434. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Growing Greener Plus Grants Program; Request for Applications

As part of the Department of Environmental Protection's (Department) Growing Greener Plus Grants Program, applications will soon be accepted for Growing Greener (Watershed Restoration and Protection) grants under 27 Pa.C.S. §§ 6101—6119 (relating to Environmental Stewardship and Watershed Protection Act) and Bond Forfeiture grants under section 18(j) of the Surface Mining Conservation and Reclamation Act (SMCRA) (52 P.S. § 1396.18(j)). The Department will begin accepting applications on Friday, April 21, 2023. New this year, applicants may apply for Stormwater Management Planning (Act 167) grants under the Storm Water Management Act (32 P.S. §§ 680.1—680.17). Growing Greener grants are designed to improve or protect this Commonwealth's waters from nonpoint source pollution associated with agricultural activities, acid mine drainage (AMD), stormwater runoff, energy resource extraction, and streambank and shoreline degradation, while Bond Forfeiture grants are designed to address legacy mining impacts. The primary focus of Act 167 grants is the preparation or revision of Act 167 plans by counties.

Eligible applicants include counties, municipalities, municipal authorities, county conservation districts, watershed organizations, councils of governments, educational institutions and other authorized organizations involved in water resource restoration and protection. The maximum Growing Greener grant request amount is \$500,000.

The Department has identified multiple priority areas for this grant solicitation. Priority areas for Growing Greener grants include projects that reduce nonpoint source pollution, especially nitrogen, phosphorous and sediment pollution from agricultural and stormwater runoff. The Department is particularly interested in design and construction projects that implement effective best management practices (BMP) that reduce or eliminate pollutant loadings and lead to local water quality improvements. A new priority for Growing Greener grants are technical assistance projects that include public-private partnerships and that focus on multiple regions or Statewide scale with the purpose to expedite on-the-ground, BMP implementation.

Through the same application process, applicants can also apply for funding through the Department's SMCRA Grant Programs to address legacy mining impacts or Act 167 grants. Eligible Act 167 grant applicants include counties, municipalities and municipal authorities (only as a co-applicant with the municipality or municipalities they serve). SMCRA grants are available to various entities including municipalities, municipal authorities and non-profit organizations for projects meeting AMD Set-Aside or Bond Forfeiture grant requirements. AMD Set-Aside Grants are no longer part of the Growing Greener Plus Grants Program. AMD projects remain eligible for Growing Greener; however, AMD discharges resulting from coal mining that was abandoned prior to 1977 are encouraged to apply to the Department's Bureau of Abandoned Mine Reclamation's new Abandoned Mine Land (AML)/AMD Grant Program. More information on the Department's AML/AMD Grant Program was published at 53 Pa.B. 907 (February 11, 2023) and is also available on the Department's web site at <https://www.dep.pa.gov/Business/Land/Mining/AbandonedMineReclamation/Pages/AML-AMD-Grant-Program.aspx>.

As part of a plea, Energy Transfer will also pay \$10 million towards projects that improve the health and safety of water sources along the routes of the Mariner East II pipeline and the Revolution pipeline. These funds will be dedicated to raising the quality of the watersheds and streams most impacted by pipeline construction above the quality level they were at before construction began. Energy Transfer is already required to restore the land they built through; none of these funds can be used for projects Energy Transfer is already required to complete. The best way to restore our natural resources impacted by these pipelines is with the work of volunteers and citizen groups all across the length of the pipelines. Community organizations including watershed associations, conservancy groups, Trout Unlimited chapters or other volunteer organizations in one of the counties impacted by the pipelines should prepare project proposals to make our water cleaner and safer. Funds resulting from this plea will be directed through existing Commonwealth programs such as the Department of Conservation and Natural Resources' grant programs, Growing Greener Plus, the Coldwater Heritage Partnership and others. This way the Commonwealth can ensure projects are impactful, funding is used effectively, redundancies are limited and projects are completed which wouldn't have been possible without this compensation.

Grant applications and all attachments must be submitted online through the Commonwealth's Electronic Single Application web site, eGrants, at www.esa.dced.state.pa.us. Applications will be accepted beginning at 8 a.m. on Friday April 21, 2023, through 11:59 p.m. on Friday, June 23, 2023. Late submissions will not be considered.

For more information, visit the Department's Growing Greener Plus Grants Program webpage at <https://www.dep.pa.gov/Citizens/GrantsLoansRebates/Growing-Greener/Pages/default.aspx>.

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-435. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Request for Applications for Watershed Planning and Restoration Grants through the Section 319 Nonpoint Source Management Program

As part of the Department of Environmental Protection's (Department) Section 319 Nonpoint Source Management Grants Program, applications will be accepted for watershed planning and restoration grants beginning on Friday, April 21, 2023. Funded in part by the United States Environmental Protection Agency under section 319(h) of the Federal Clean Water Act (33 U.S.C.A. § 1329(h)), the Department administers a grant program to fund watershed projects that are part of approved watershed implementation plans (WIP). The grants are designed to improve and protect water in this Commonwealth from nonpoint source pollution associated with agricultural activities, abandoned mine drainage (AMD), stormwater runoff, energy resource extraction, and streambank and shoreline degradation.

Eligible applicants include: incorporated watershed associations, counties or municipalities; county conservation districts; council of governments; or other authorized organizations including nonprofit organizations, educational institutions and municipal authorities.

The Department is focusing these grants on projects that reduce nonpoint source pollution in targeted watersheds with WIPs, especially projects that reduce nitrogen, phosphorous and sediment pollution from agricultural and stormwater runoff, along with AMD-related pollution from iron, aluminum and acidity. The Department is particularly interested in projects that implement effective best management practices (BMP) that reduce or eliminate stream impairments within WIP areas, leading to local water quality improvements.

The Department is also offering grants to develop new WIPs in the Commonwealth's Environmental Justice (EJ) areas for Hydrologic Unit Code 12 watershed scale, based upon watershed plan elements for threatened or impaired waters.

Examples of eligible projects include: new WIP development in EJ areas and design and construction of BMPs, including riparian forest buffers, streambank fencing, agricultural erosion and sediment control and nutrient and manure management practices; animal waste storage systems, animal concentration area/animal heavy use area protection and barnyard runoff controls; design and construction of stormwater control measures; AMD treatment systems; and other projects that will reduce nonpoint source pollution in watersheds where streams are impaired.

Applications and all supporting documents must be submitted online through the Commonwealth's Electronic Single Application web site, eGrants at www.esa.dced.state.pa.us. Applications will be accepted beginning at 8 a.m. on Friday, April 21, 2023, through 11:59 p.m. on Friday, June 23, 2023. Late submissions will not be considered.

Interested applicants with questions may e-mail RA-EP319grantFunding@pa.gov. For more information on the Section 319 Nonpoint Source Management Grants Program, visit the Department's web site at www.dep.pa.gov (search "Nonpoint Source").

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-436. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (k) (relating to prevention, control and surveillance of tuberculosis (TB)):

Edinboro Manor
419 Waterford Street
Edinboro, PA 16412
FAC ID # 053002

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-437. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Medical Marijuana Advisory Board Meeting

The Department of Health hereby gives notice that the Medical Marijuana Advisory Board (Board), established under section 1201 of the Medical Marijuana Act (35 P.S. § 10231.1201), will meet on April 12, 2023, from 10:30 a.m. to 12:30 p.m. The Board meeting will be held in the Keystone Building, Forest Room, 400 North Street, Harrisburg, PA 17120. The meeting will also be conducted virtually by means of Microsoft Teams. For information

regarding how the public can access the meeting virtually, check www.medicalmarijuana.pa.gov and click on “Medical Marijuana Advisory Board” under “Information for:” on the day of the meeting.

For additional information, including an alternative format of this notice (for example, large print, audiotope, Braille) or for persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so, contact Holli Senior, Special Assistant, Office of Medical Marijuana, 625 Forster Street, Room 628, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3047, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-438. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Best Mom in the World Fast Play Game 5193

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Best Mom in the World (hereinafter “Best Mom in the World”). The game number is PA-5193.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *OUT OF THIS WORLD*: The area at the top of a Best Mom in the World Fast Play lottery game ticket containing one play symbol that, when matched according to the instructions, determines whether the player wins all 12 prizes shown in the “YOUR NUMBERS” area.

(g) *OUT OF THIS WORLD WINALL*: The area at the bottom of a Best Mom in the World Fast Play lottery game ticket containing one play symbol that, when

matched according to the instructions, determines whether the player wins all 12 prizes shown in the “YOUR NUMBERS” area.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(m) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(n) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Best Mom in the World ticket is \$5.

4. *Description of the Best Mom in the World Fast Play lottery game*:

(a) The Best Mom in the World lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Best Mom in the World tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Best Mom in the World is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. Whenever a MOM (PLUS25) symbol appears in the “YOUR NUMBERS” area, the player increases the prize amount below that MOM (PLUS25) symbol by \$25 and wins that amount. A bet slip is not used to play this game.

(c) Best Mom in the World tickets contain an “OUT OF THIS WORLD WINALL” area. Whenever the play symbol at the top of a Best Mom in the World ticket matches the play symbol shown to the left at the bottom of that ticket, the player wins all 12 prizes shown.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Best Mom in the World tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and

verbally request a Best Mom in the World ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Best Mom in the World ticket and select the Best Mom in the World option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Best Mom in the World ticket characteristics:*

(a) Best Mom in the World tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Best Mom in the World tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, an "OUT OF THIS WORLD" area and an "OUT OF THIS WORLD WINALL" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT) and a MOM (PLUS25) symbol. The play symbols and their captions, located in the "OUT OF THIS WORLD" area and the "OUT OF THIS WORLD WINALL" area, are: Orion's Belt (ORNSBLT) symbol, Big Dipper (DIPPER) symbol, Jupiter (JUPITER) symbol, Galaxy (GALAXY) symbol, Astronaut (ASTRNT) symbol, Moon (MOON) symbol, Rocket (ROCKET) symbol, Saturn (SATURN) symbol, Comet (COMET) symbol, Solar System (SLRSYSTM) symbol, Stars (STARS) symbol and a Telescope (TELSCEP) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

(d) *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$15, \$30, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$50,000. Best Mom in the World contains a feature that can increase the prize won by \$25. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 12 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 480,000 tickets will be available for sale for the Best Mom in the World lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Best Mom in the World prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$1,000 (ONE THO) appears in two of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in four of the "Prize" areas, a prize symbol of \$200 (TWO HUN) appears in four of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a MOM (PLUS25) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that MOM (PLUS25) play symbol, shall be entitled to a prize of \$525.

(g) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$200 (TWO HUN) appears in three of the "Prize" areas, a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in four of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in two of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$200 (TWO HUN) appears in two of the "Prize" areas, a prize symbol of \$100 (ONE HUN) appears in four of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in three of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in three of the "Prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the "Prize" areas and a prize symbol of \$500 (FIV HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING

NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$200 (TWO HUN) appears in two of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in three of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in three of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in four of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in one of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in five of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in four of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in two of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$30⁰⁰ (THIRTY) appears in five of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "Prize" areas, a prize symbol of \$200 (TWO HUN) appears in one of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which a MOM (PLUS25) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that MOM (PLUS25) play symbol, shall be entitled to a prize of \$225.

(p) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in three of the "Prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in five of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in one of the "Prize" areas and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of

\$30⁰⁰ (THIRTY) appears in three of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in five of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in three of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$30⁰⁰ (THIRTY) appears in two of the "Prize" areas, a prize symbol of \$15⁰⁰ (FIFTEEN) appears in two of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "Prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which the "OUT OF THIS WORLD" play symbol matches the "OUT OF THIS WORLD WINALL" play symbol and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in five of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in one of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which a MOM (PLUS25) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that MOM (PLUS25) play symbol, shall be entitled to a prize of \$125.

(v) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which a MOM (PLUS25) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that MOM (PLUS25) play symbol, shall be entitled to a prize of \$75.

(x) Holders of tickets upon which a MOM (PLUS25) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under that MOM (PLUS25) play symbol, shall be entitled to a prize of \$55.

(y) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which a MOM (PLUS25) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area under that MOM (PLUS25) play symbol, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which a MOM (PLUS25) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that MOM (PLUS25) play symbol, shall be entitled to a prize of \$35.

(bb) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(cc) Holders of tickets upon which a MOM (PLUS25) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area under that MOM (PLUS25) play symbol, shall be entitled to a prize of \$30.

(dd) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.⁰⁰ (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(ee) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number: Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 480,000 Tickets:</i>
\$5	\$5	7.41	64,800
\$5 × 2	\$10	35.71	13,440
\$10	\$10	33.33	14,400
\$5 × 3	\$15	125	3,840
\$10 + \$5	\$15	125	3,840
\$15	\$15	125	3,840
\$10 × 3	\$30	500	960
\$15 × 2	\$30	500	960
(\$10 × 2) + (\$5 × 2)	\$30	500	960
\$5 w/ MOM	\$30	58.82	8,160
\$30	\$30	500	960
\$10 × 5	\$50	2,000	240
(\$5 × 4) + \$30	\$50	2,000	240
(\$10 × 2) + \$30	\$50	2,000	240
(\$10 × 4) + (\$5 × 2)	\$50	2,000	240
(\$5 w/ MOM) + (\$5 × 2) + \$10	\$50	625	768
(\$10 w/ MOM) + \$15	\$50	625	768
(\$15 w/ MOM) + \$10	\$50	625	768
\$50	\$50	1,667	288
\$50 × 2	\$100	24,000	20
(\$30 × 2) + (\$10 × 3) + (\$5 × 2)	\$100	4,000	120
(\$10 × 2) + \$50 + \$30	\$100	4,000	120
(((\$10 w/ MOM) × 2) + (\$10 × 2) + (\$5 × 2)	\$100	3,429	140
(\$15 w/ MOM) + (\$30 × 2)	\$100	3,429	140
(\$15 w/ MOM) + (\$5 w/ MOM) + (\$10 × 2) + (\$5 × 2)	\$100	3,429	140
(\$30 w/ MOM) + (\$10 w/ MOM) + (\$5 × 2)	\$100	3,429	140
(\$30 w/ MOM) + (\$15 w/ MOM) + \$5	\$100	3,429	140
(\$50 w/ MOM) + (\$5 × 5)	\$100	3,429	140
(\$50 w/ MOM) + (\$10 × 2) + \$5	\$100	3,429	140
\$100	\$100	12,000	40

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 480,000 Tickets:</i>
WINALL MATCH w/ (($\$15 \times 5$) + ($\10×4) + $\$50$ + $\$30$ + $\$5$)	\$200	8,000	60
WINALL MATCH w/ (($\$30 \times 2$) + ($\15×2) + ($\$10 \times 5$) + ($\5×2) + $\$50$)	\$200	8,000	60
WINALL MATCH w/ (($\$30 \times 3$) + ($\15×5) + ($\$10 \times 3$) + $\$5$)	\$200	8,000	60
WINALL MATCH w/ (($\$50 \times 2$) + ($\10×3) + ($\$5 \times 5$) + $\$30$ + $\$15$)	\$200	8,000	60
$\$50 \times 4$	\$200	60,000	8
$\$100 \times 2$	\$200	60,000	8
($\$30 \times 3$) + $\$100$ + $\$10$	\$200	60,000	8
($\$50 \times 2$) + $\$100$	\$200	60,000	8
(($\$30$ w/ MOM) $\times 2$) + ($\$30 \times 2$) + ($\15×2)	\$200	60,000	8
($\$50$ w/ MOM) + ($\$30$ w/ MOM) + ($\$10 \times 2$) + $\$50$	\$200	60,000	8
(($\$50$ w/ MOM) $\times 2$) + ($\$5 \times 4$) + $\$30$	\$200	60,000	8
($\$100$ w/ MOM) + ($\$15$ w/ MOM) + $\$30$ + $\$5$	\$200	60,000	8
($\$100$ w/ MOM) + ($\$50$ w/ MOM)	\$200	60,000	8
$\$200$	\$200	60,000	8
WINALL MATCH w/ (($\$30 \times 5$) + ($\10×5) + $\$200$ + $\$100$)	\$500	24,000	20
WINALL MATCH w/ (($\$50 \times 5$) + ($\30×4) + ($\$15 \times 2$) + $\$100$)	\$500	24,000	20
WINALL MATCH w/ (($\$100 \times 2$) + ($\50×4) + ($\$15 \times 4$) + $\$30$ + $\$10$)	\$500	24,000	20
WINALL MATCH w/ (($\$200 \times 2$) + ($\15×3) + ($\$10 \times 4$) + ($\5×3))	\$500	24,000	20
$\$100 \times 5$	\$500	120,000	4
($\$100$ w/ MOM) $\times 4$	\$500	120,000	4
(($\$200$ w/ MOM) $\times 2$) + ($\$10 \times 2$) + ($\5×3) + $\$15$	\$500	120,000	4
(($\$200$ w/ MOM) $\times 2$) + $\$50$	\$500	120,000	4
$\$500$	\$500	120,000	4
WINALL MATCH w/ (($\$100 \times 2$) + ($\50×4) + ($\$30 \times 3$) + ($\5×2) + $\$500$)	\$1,000	60,000	8
WINALL MATCH w/ (($\$200 \times 2$) + ($\100×4) + ($\$50 \times 2$) + ($\30×3) + $\$10$)	\$1,000	60,000	8
WINALL MATCH w/ (($\$200 \times 3$) + ($\100×2) + ($\$30 \times 4$) + ($\15×2) + $\$50$)	\$1,000	60,000	8
$\$500 \times 2$	\$1,000	120,000	4
($\$500$ w/ MOM) + ($\$100 \times 4$) + ($\10×2) + $\$50$ + $\$5$	\$1,000	120,000	4
$\$1,000$	\$1,000	120,000	4
WINALL MATCH w/ (($\$1,000 \times 2$) + ($\500×4) + ($\$200 \times 4$) + ($\100×2))	\$5,000	240,000	2
$\$5,000$	\$5,000	240,000	2
$\$50,000$	\$50,000	240,000	2

When a "MOM" (PLUS25) symbol appears, add \$25 to the prize shown under that symbol and win that amount!

OUT OF THIS WORLD WINALL: When the symbol shown to the left matches the OUT OF THIS WORLD symbol at the top, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Best Mom in the World lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Best Mom in the World lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Best Mom in the World or through normal communication methods.

19. *Applicability:* This notice applies only to the Best Mom in the World lottery game announced in this notice.

PATRICK BROWNE,
Acting Secretary

[Pa.B. Doc. No. 23-439. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Ca\$h Wanted Fast Play Game 5156

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Ca\$h Wanted (hereinafter “Ca\$h Wanted”). The game number is PA-5156.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *CA\$H REWARD:* The area at the top of a Ca\$h Wanted lottery game ticket containing two play symbols that, when matched according to the instructions, determines whether the player wins the prize shown. “CA\$H REWARD” is played separately.

(d) *COUNT UP PLAY SYMBOLS:* The 12 play symbols, found within the “YOUR NUMBERS” area that, when matched according to the instructions, determines whether the player wins a prize.

(e) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(f) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(g) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(h) *Play:* A chance to participate in a particular Fast Play lottery game.

(i) *Play Area:* The area on a ticket which contains one or more play symbols.

(j) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *PROGRESSIVE TOP PRIZE:* The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(l) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(n) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a Ca\$h Wanted ticket is \$20.

4. *Description of Ca\$h Wanted Fast Play lottery game:*

(a) Ca\$h Wanted lottery game is an instant win game printed from a Lottery Terminal. With the exception of the “PROGRESSIVE TOP PRIZE,” all prizes are predetermined, and the player does not have the ability to select their own play symbols. Ca\$h Wanted tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Ca\$h Wanted is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of

the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. Whenever three Tumbleweed symbols appear in the “YOUR NUMBERS” area, the player wins a prize of \$100 instantly. Whenever three Cactus symbols appear in the “YOUR NUMBERS” area, the player multiplies any prize won by ten. Whenever three Boot symbols appear in the “YOUR NUMBERS” area, the player wins all 20 prizes shown. A bet slip is not used to play this game.

(c) Ca\$h Wanted tickets contain a “CA\$H REWARD” area. Whenever two matching symbols appear in the “CA\$H REWARD” area, the player wins the prize shown. “CA\$H REWARD” is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Ca\$h Wanted tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Ca\$h Wanted ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Ca\$h Wanted ticket and select the Ca\$h Wanted option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Ca\$h Wanted ticket characteristics:*

(a) Ca\$h Wanted tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Ca\$h Wanted tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “CA\$H REWARD” area.

(1) The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT).

(2) The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The “COUNT UP PLAY SYMBOLS,” located in the “YOUR NUMBERS” area, are: Hat symbol, Horse symbol, Gold Bars symbol, Horseshoe

symbol, Pick symbol, Lizard symbol, Wheel symbol, Wolf symbol, Tumbleweed symbol, Cactus symbol and a Boot symbol.

(3) The play symbols, shown as they appear in the “CA\$H REWARD” area, are:

(i) Wanted 01 symbol



(ii) Wanted 02 symbol



(iii) Wanted 03 symbol



(iv) Wanted 04 symbol



(v) Wanted 05 symbol



(vi) Wanted 06 symbol



(vii) Wanted 07 symbol



(iii) Wanted 08 symbol



(ix) Wanted 09 symbol



(x) Wanted 10 symbol



(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and a PROG (TOP PRIZE) symbol. The prize symbols and their captions, located in the "CA\$H REWARD" area, are: \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$500 (FIV HUN).

(d) *Prizes:* The prizes that can be won in this game, are: \$20, \$30, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and the "PROGRESSIVE TOP PRIZE." The prizes that can be won in the "CA\$H REWARD" area, are: \$20, \$30, \$40, \$50, \$100, \$200 and \$500. Ca\$h Wanted contains a feature that can multiply the prize won. The "PROGRESSIVE TOP PRIZE" amount starts at \$350,000 and increases by \$1.80 every time a Ca\$h Wanted ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$350,000. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 21 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Ca\$h Wanted lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Ca\$h Wanted prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of PROG (TOP PRIZE) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$350,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the

matching "YOUR NUMBERS" play symbol, and upon which three Cactus symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which three Boot symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$1,000 (ONE THO) appears in three of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in 12 of the "Prize" areas and a prize symbol of \$200 (TWO HUN) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which three Cactus symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which three Boot symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in three of the "Prize" areas, a prize symbol of \$40.⁰⁰ (FORTY) appears in five of the "Prize" areas, a prize symbol of \$30.⁰⁰ (THIRTY) appears in five of the "Prize" areas, a prize symbol of \$20.⁰⁰ (TWENTY) appears in five of the "Prize" areas, a prize symbol of \$200 (TWO HUN) appears in one of the "Prize" areas and a prize symbol of \$50.⁰⁰ (FIFTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which three Boot symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$50.⁰⁰ (FIFTY) appears in 15 of the "Prize" areas and a prize symbol of \$30.⁰⁰ (THIRTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$900.

(j) Holders of tickets upon which three Boot symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, a prize symbol of \$40.⁰⁰ (FORTY) appears in five of the "Prize" areas and a prize symbol of \$20.⁰⁰ (TWENTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$900.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which three Cactus symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which two matching play symbols appear in the "CA\$H REWARD" area and upon which a prize symbol of \$500 (FIV HUN) appears in the "CA\$H REWARD" area, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which three Boot symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$50.00 (FIFTY) appears in two of the "Prize" areas, a prize symbol of \$30.00 (THIRTY) appears in four of the "Prize" areas and a prize symbol of \$20.00 (TWENTY) appears in 14 of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which three Boot symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$30.00 (THIRTY) appears in ten of the "Prize" areas and a prize symbol of \$20.00 (TWENTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which three Boot symbols appear in the "YOUR NUMBERS" area and a prize symbol of \$30.00 (THIRTY) appears in five of the "Prize" areas and a prize symbol of \$20.00 (TWENTY) appears in 15 of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$450.

(q) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.00 (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which three Cactus symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30.00 (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which three Cactus symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$300.

(s) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which three Cactus symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which two matching play symbols appear in the "CA\$H REWARD" area and upon which a prize symbol of \$200 (TWO HUN) appears in the "CA\$H REWARD" area, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which three Tumbleweed symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which two matching play symbols appear in the "CA\$H REWARD" area and upon which a prize symbol of \$100 (ONE HUN) appears in the "CA\$H REWARD" area, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which two matching play symbols appear in the "CA\$H REWARD" area and upon which a prize symbol of \$50.00 (FIFTY) appears in the "CA\$H REWARD" area, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.00 (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(bb) Holders of tickets upon which two matching play symbols appear in the "CA\$H REWARD" area and upon which a prize symbol of \$40.00 (FORTY) appears in the "CA\$H REWARD" area, on a single ticket, shall be entitled to a prize of \$40.

(cc) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30.00 (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(dd) Holders of tickets upon which two matching play symbols appear in the "CA\$H REWARD" area and upon which a prize symbol of \$30.00 (THIRTY) appears in the "CA\$H REWARD" area, on a single ticket, shall be entitled to a prize of \$30.

(ee) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which two matching play symbols appear in the "CA\$H REWARD" area and upon which a prize symbol of \$20.00 (TWENTY) appears in the "CA\$H REWARD" area, on a single ticket, shall be entitled to a prize of \$20.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number.</i>			<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
<i>Win With:</i>	<i>"CA\$H REWARD":</i>	<i>Win:</i>		
	\$20 w/ SYMBOL MATCH	\$20	15.15	39,600

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"CA\$H REWARD":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$20		\$20	15.15	39,600
	\$30 w/ SYMBOL MATCH	\$30	21.74	27,600
\$30		\$30	21.74	27,600
\$20 × 2		\$40	100	6,000
\$20	\$20 w/ SYMBOL MATCH	\$40	50	12,000
	\$40 w/ SYMBOL MATCH	\$40	100	6,000
\$40		\$40	200	3,000
\$30 + \$20		\$50	400	1,500
\$20	\$30 w/ SYMBOL MATCH	\$50	83.33	7,200
\$30	\$20 w/ SYMBOL MATCH	\$50	83.33	7,200
	\$50 w/ SYMBOL MATCH	\$50	76.92	7,800
\$50		\$50	400	1,500
\$20 × 5		\$100	2,000	300
\$50 × 2		\$100	2,000	300
\$40 + \$30	\$30 w/ SYMBOL MATCH	\$100	2,000	300
\$50 + \$30	\$20 w/ SYMBOL MATCH	\$100	2,000	300
\$50	\$50 w/ SYMBOL MATCH	\$100	1,000	600
	\$100 w/ SYMBOL MATCH	\$100	1,000	600
\$100 w/ 3—TUMBLEWEED SYMBOLS		\$100	117.65	5,100
\$100		\$100	2,000	300
\$50 × 4		\$200	4,000	150
\$100 × 2		\$200	4,000	150
(\$20 × 5) + \$50	\$50 w/ SYMBOL MATCH	\$200	4,000	150
(\$30 × 5) + \$20	\$30 w/ SYMBOL MATCH	\$200	4,000	150
(\$40 × 2) + (\$30 × 2) + (\$20 × 2)	\$20 w/ SYMBOL MATCH	\$200	4,000	150
\$50 + \$30 + \$20	\$100 w/ SYMBOL MATCH	\$200	3,000	200
(\$100 w/ 3—TUMBLEWEED SYMBOLS) + \$50	\$50 w/ SYMBOL MATCH	\$200	1,091	550
\$100 w/ 3—TUMBLEWEED SYMBOLS	\$100 w/ SYMBOL MATCH	\$200	1,091	550
	\$200 w/ SYMBOL MATCH	\$200	6,000	100

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"CA\$H REWARD":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
3—CACTUS SYMBOLS w/ \$20		\$200	1,263	475
\$200		\$200	3,000	200
3—BOOT SYMBOLS w/ (($\$30 \times 5$) + ($\20×15))	\$50 w/ SYMBOL MATCH	\$500	6,000	100
3—BOOT SYMBOLS w/ (($\$30 \times 10$) + ($\20×10))		\$500	6,000	100
3—BOOT SYMBOLS w/ (($\$50 \times 2$) + ($\30×4) + ($\$20 \times 14$))		\$500	6,000	100
\$100 \times 5		\$500	60,000	10
\$40 \times 10	\$100 w/ SYMBOL MATCH	\$500	60,000	10
3—CACTUS SYMBOLS w/ \$40	\$100 w/ SYMBOL MATCH	\$500	60,000	10
3—CACTUS SYMBOLS w/ ($\$30$ + $\$20$)		\$500	60,000	10
	\$500 w/ SYMBOL MATCH	\$500	24,000	25
3—CACTUS SYMBOLS w/ \$50		\$500	24,000	25
\$500		\$500	60,000	10
3—BOOT SYMBOLS w/ (($\$100 \times 5$) + ($\40×5) + ($\$20 \times 10$))	\$100 w/ SYMBOL MATCH	\$1,000	40,000	15
3—BOOT SYMBOLS w/ (($\$50 \times 15$) + ($\30×5))	\$100 w/ SYMBOL MATCH	\$1,000	40,000	15
3—BOOT SYMBOLS w/ (($\$100 \times 3$) + ($\40×5) + ($\$30 \times 5$) + ($\20×5) + $\$200$ + $\$50$)		\$1,000	40,000	15
3—CACTUS SYMBOLS w/ \$50	\$500 w/ SYMBOL MATCH	\$1,000	120,000	5
3—CACTUS SYMBOLS w/ ($\$20 \times 5$)		\$1,000	120,000	5
3—CACTUS SYMBOLS w/ \$100		\$1,000	120,000	5
1,000		\$1,000	120,000	5
3—BOOT SYMBOLS w/ (($\$1,000 \times 3$) + ($\500×12) + ($\$200 \times 5$))		\$10,000	300,000	2
3—CACTUS SYMBOLS w/ \$1,000		\$10,000	300,000	2
\$10,000		\$10,000	300,000	2
PROGRESSIVE TOP PRIZE		\$350,000*	300,000	2

When 3 "Tumbleweed" symbols appear in the YOUR NUMBERS area, win \$100 instantly.

When 3 "Cactus" symbols appear in the YOUR NUMBERS area, multiply any prize won by 10 TIMES and win that amount.

When 3 "Boot" symbols appear in the YOUR NUMBERS area, win all 20 prizes shown!

CA\$H REWARD: Match 2 like symbols in the CA\$H REWARD area, win PRIZE shown. CA\$H REWARD is played separately.

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$350,000. The PROGRESSIVE TOP PRIZE increases by \$1.80 every time a ticket is purchased, and resets to \$350,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$1.80 from the sale of each Ca\$h Wanted ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Ca\$h Wanted game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The "PROGRESSIVE TOP PRIZE" and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a "PROGRESSIVE TOP PRIZE" being reset without the actual sale of a "PROGRESSIVE TOP PRIZE" winning ticket, all prize money that had accumulated into the "PROGRESSIVE TOP PRIZE" pool (i.e., \$1.80 from the sale of each ticket) shall be awarded as part of the next "PROGRESSIVE TOP PRIZE" won.

(d) Prizes payable to "PROGRESSIVE TOP PRIZE" winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to "PRO-

GRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Ca\$h Wanted lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Ca\$h Wanted lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Ca\$h Wanted or through normal communications methods.

20. *Applicability:* This notice applies only to the Ca\$h Wanted lottery game announced in this notice.

PATRICK BROWNE,
Acting Secretary

[Pa.B. Doc. No. 23-440. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Pizza Dough Doubler Fast Play Game 5194

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Pizza Dough Doubler (hereinafter “Pizza Dough Doubler”). The game number is PA-5194.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *EXTRA CHEESE:* The area at the bottom of a Pizza Dough Doubler Fast Play lottery game ticket containing four play symbols and a “Prize” symbol that, when played according to the instructions, determines whether the player wins the prize amount shown. EXTRA CHEESE is played separately.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(l) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a Pizza Dough Doubler ticket is \$1.

4. *Description of the Pizza Dough Doubler Fast Play lottery game:*

(a) The Pizza Dough Doubler lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Pizza Dough Doubler tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Pizza Dough Doubler is played by matching any of the play symbols located in the "YOUR NUMBERS" area to any of the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" play symbol. A bet slip is not used to play this game.

(c) Pizza Dough Doubler tickets contain an "EXTRA CHEESE" area. Whenever an Extra Cheese Pizza (XTRACHZ) symbol appears in the "EXTRA CHEESE" area, the player wins the prize amount shown.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Pizza Dough Doubler tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Pizza Dough Doubler ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Pizza Dough Doubler ticket and select the Pizza Dough Doubler option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pizza Dough Doubler ticket characteristics:*

(a) Pizza Dough Doubler tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Pizza Dough Doubler tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and an "EXTRA CHEESE" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO),

23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT) and a Pepperoni Slice (DOUBLER) symbol. The play symbols and their captions, located in the "EXTRA CHEESE" area, are: Pineapple Pizza (PNAPLE) symbol, Mushroom Pizza (MSHRM) symbol, Green Pepper Pizza (GRNPEP) symbol, Meat Lover Pizza (MTLVR) symbol, Pepperoni Pizza (PEPRNI) symbol, Margherita Pizza (MRGITA) symbol, Seafood Pizza (SEAFD) symbol, Veggie Pizza (VEGGIE) symbol and an Extra Cheese Pizza (XTRACHZ) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: FREE (TICKET), \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$25.⁰⁰ (TWY FIV), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$2,500 (TWYFIVHUN). The prize symbols and their captions, located in the "EXTRA CHEESE" area, are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL) and \$10.⁰⁰ (TEN DOL).

(d) *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$25, \$50, \$100, \$500 and \$2,500. Pizza Dough Doubler also contains a feature that can double the prize won. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to seven times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 960,000 tickets will be available for sale for the Pizza Dough Doubler lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Pizza Dough Doubler prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which a Pepperoni Slice (DOUBLER) play symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area under that Pepperoni Slice (DOUBLER) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which a Pepperoni Slice (DOUBLER) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$25.00 (TWY FIV) appears in the “Prize” area under that Pepperoni Slice (DOUBLER) play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25.00 (TWY FIV) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets upon which a Pepperoni Slice (DOUBLER) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10.00 (TEN DOL) appears in the “Prize” area under that Pepperoni Slice (DOUBLER) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which a Pepperoni Slice (DOUBLER) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5.00 (FIV DOL) appears in the “Prize” area under that Pepperoni Slice (DOUBLER) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which an Extra Cheese Pizza (XTRACHZ) play symbol appears in the “EXTRA CHEESE” area and a prize symbol of \$10.00 (TEN DOL) appears in the “Prize” area in the center of the “EXTRA CHEESE” area, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which a Pepperoni Slice (DOUBLER) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$4.00 (FOR DOL) appears in the “Prize” area under that Pepperoni Slice (DOUBLER) play symbol, on a single ticket, shall be entitled to a prize of \$8.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which an Extra Cheese Pizza (XTRACHZ) play symbol appears in the “EXTRA CHEESE” area and a prize symbol of \$5.00 (FIV DOL) appears in the “Prize” area in the center of the “EXTRA CHEESE” area, on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.00

(FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets upon which a Pepperoni Slice (DOUBLER) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$2.00 (TWO DOL) appears in the “prize” area under that Pepperoni Slice (DOUBLER) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets upon which an Extra Cheese Pizza (XTRACHZ) play symbol appears in the “EXTRA CHEESE” area and a prize symbol of \$4.00 (FOR DOL) appears in the “Prize” area in the center of the “EXTRA CHEESE” area, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets upon which a Pepperoni Slice (DOUBLER) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1.00 (ONE DOL) appears in the “Prize” area under that Pepperoni Slice (DOUBLER) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(u) Holders of tickets upon which an Extra Cheese Pizza (XTRACHZ) play symbol appears in the “EXTRA CHEESE” area and a prize symbol of \$2.00 (TWO DOL) appears in the “Prize” area in the center of the “EXTRA CHEESE” area, on a single ticket, shall be entitled to a prize of \$2.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1.00 (ONE DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(w) Holders of tickets upon which an Extra Cheese Pizza (XTRACHZ) play symbol appears in the “EXTRA CHEESE” area and a prize symbol of \$1.00 (ONE DOL) appears in the “Prize” area in the center of the “EXTRA CHEESE” area, on a single ticket, shall be entitled to a prize of \$1.

(x) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Pizza Dough Doubler Fast Play Game Ticket.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“EXTRA CHEESE”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
FREE		FREE \$1 TICKET	10	96,000
	\$1	\$1	47.62	20,160

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"EXTRA CHEESE":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
\$1		\$1	55.56	17,280
\$1 × 2		\$2	200	4,800
\$1	\$1	\$2	66.67	14,400
	\$2	\$2	100	9,600
\$1 w/ PEPPERONI SLICE		\$2	50	19,200
\$2		\$2	200	4,800
\$2 × 2		\$4	1,000	960
(\$1 w/ PEPPERONI SLICE) + \$1	\$1	\$4	333.33	2,880
\$1 w/ PEPPERONI SLICE	\$2	\$4	333.33	2,880
	\$4	\$4	500	1,920
\$2 w/ PEPPERONI SLICE		\$4	333.33	2,880
\$4		\$4	1,000	960
\$1 × 3	\$2	\$5	2,000	480
\$2 × 2	\$1	\$5	1,000	960
(\$1 w/ PEPPERONI SLICE) + \$2	\$1	\$5	250	3,840
(\$1 w/ PEPPERONI SLICE) × 2	\$1	\$5	200	4,800
\$2 w/ PEPPERONI SLICE	\$1	\$5	285.71	3,360
	\$5	\$5	500	1,920
\$5		\$5	1,000	960
\$5 × 2		\$10	2,000	480
(((\$1 w/ PEPPERONI SLICE) × 2) + (\$2 w/ PEPPERONI SLICE) + \$1	\$1	\$10	1,000	960
(\$2 w/ PEPPERONI SLICE) × 2	\$2	\$10	1,000	960
\$4 w/ PEPPERONI SLICE	\$2	\$10	400	2,400
	\$10	\$10	2,000	480
\$5 w/ PEPPERONI SLICE		\$10	1,000	960
\$10		\$10	1,000	960
\$5 × 3	\$10	\$25	2,400	400
\$10 × 2	\$5	\$25	2,400	400
(\$4 w/ PEPPERONI SLICE) + (\$1 × 2) + \$5	\$10	\$25	1,500	640
(\$5 w/ PEPPERONI SLICE) + (\$4 w/ PEPPERONI SLICE) + (\$1 w/ PEPPERONI SLICE)	\$5	\$25	1,200	800
\$10 w/ PEPPERONI SLICE	\$5	\$25	1,200	800
\$25		\$25	2,400	400
\$25 × 2		\$50	12,000	80
(\$10 × 3) + (\$5 × 3)	\$5	\$50	6,000	160
(\$10 w/ PEPPERONI SLICE) × 2	\$10	\$50	2,400	400
\$25 w/ PEPPERONI SLICE		\$50	2,400	400
\$50		\$50	24,000	40
\$50 × 2		\$100	24,000	40
\$50 + \$25 + \$10 + \$5 + \$4 + \$1	\$5	\$100	24,000	40
(\$25 w/ PEPPERONI SLICE) + (\$10 w/ PEPPERONI SLICE) + (\$5 w/ PEPPERONI SLICE) + \$10	\$10	\$100	12,000	80

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"EXTRA CHEESE":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
\$50 w/ PEPPERONI SLICE		\$100	12,000	80
\$100		\$100	20,000	48
\$500		\$500	120,000	8
\$2,500		\$2,500	240,000	4

When a "Pepperoni Slice" (DOUBLER) symbol appears, DOUBLE the prize shown under that symbol and win that amount!

EXTRA CHEESE: When an "Extra Cheese Pizza" (XTRACHZ) symbol appears, win PRIZE shown automatically! EXTRA CHEESE is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the

sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Pizza Dough Doubler lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Pizza Dough Doubler lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pizza Dough Doubler or through normal communications methods.

19. *Applicability:* This notice applies only to the Pizza Dough Doubler lottery game announced in this notice.

PATRICK BROWNE,
Acting Secretary

[Pa.B. Doc. No. 23-441. Filed for public inspection March 31, 2023, 9:00 a.m.]

DEPARTMENT OF REVENUE

Realty Transfer Tax; 2021 Common Level Ratio; Real Estate Valuation Factors; March 2023

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 2021. These factors are the mathematical reciprocals of the actual common level ratio (CLR). For Pennsylvania Realty Transfer Tax purposes, these factors are applicable for documents accepted from July 1, 2022, to June 30, 2023. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102 (relating to acceptance of documents)).

<i>County</i>	<i>CLR Factor</i>
Adams	1.14
Allegheny	1.57
Armstrong	2.46
Beaver	6.76
Bedford	1.39
Berks	2.22
Blair	1.16
Bradford	4.33
Bucks	13.70
Butler	14.08
Cambria	6.06
Cameron	4.18
Carbon	4.12
Centre	4.67
Chester	2.53
Clarion	3.44
Clearfield	9.90
Clinton	1.57
Columbia	5.78
Crawford	4.69
Cumberland	1.17
Dauphin	1.91
Delaware	1.37
Elk	3.98
Erie	1.41
Fayette	1.93

<i>County</i>	<i>CLR Factor</i>
Forest	6.85
Franklin	10.53
Fulton	3.76
Greene	2.19
Huntingdon	6.54
Indiana	1.06
Jefferson	3.66
Juniata	9.35
Lackawanna	12.20
Lancaster	1.47
Lawrence	1.67
Lebanon	1.39
Lehigh	1.57
Luzerne	1.32
Lycoming	1.79
McKean	1.24
Mercer	6.99
Mifflin	3.51
Monroe	1.65
Montgomery	2.53
Montour	1.81
Northampton	4.61
Northumberland	8.20
Perry	1.41
Philadelphia ^{1a}	1.08
Philadelphia ^{1b}	1.00
Pike	8.26
Potter	4.37
Schuylkill	3.82
Snyder	8.40
Somerset	4.24
Sullivan	1.81
Susquehanna	4.52
Tioga	1.94
Union	1.80
Venango	1.52
Warren	5.26
Washington	1.19
Wayne ^{2a}	1.75
Wayne ^{2b}	1.00
Westmoreland	9.09
Wyoming	7.04
York	1.52

⁽¹⁾ Adjusted by the Department of Revenue (Department) to reflect an assessment base change effective January 1, 2023.

^(a) The previous assessed value and CLRF of 1.08 applies to documents accepted from July 1, 2022, to December 31, 2022.

^(b) The new assessed value and CLRF of 1.00 applies to documents accepted from January 1, 2023, to June 30, 2023.

⁽²⁾ Adjusted by the Department to reflect an assessment base change effective January 1, 2023.

^(a) The previous assessed value and CLRF of 1.75 applies to documents accepted from July 1, 2022, to December 31, 2022.

^(b) The new assessed value and CLRF of 1.00 applies to documents accepted from January 1, 2023, to June 30, 2023.

PATRICK BROWNE,
Acting Secretary

[Pa.B. Doc. No. 23-442. Filed for public inspection March 31, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of Willa Kravitz under the Motor Vehicle Financial Responsibility Law; Catastrophic Loss Benefits Continuation Fund; Doc. No. CF23-03-019

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for April 24, 2023, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before April 20, 2023. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before April 10, 2023, with the Administrative Hearings Office. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before April 20, 2023.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-443. Filed for public inspection March 31, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of Samone Long under the Quality Health Care Accountability and Protection Article; Highmark Wholecare; Doc. No. HC23-03-017

Under Article XXI of The Insurance Company Law of 1921, referred to as the Quality Health Care Accountability and Protection Article (40 P.S. §§ 991.2101—991.2194), notice is hereby given that the appellant in

this action has requested a hearing, in connection with the appellant's managed health care plan. 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 any other relevant provisions of law.

A prehearing telephone conference initiated by this office is scheduled for April 20, 2023, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before April 18, 2023. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before April 6, 2023, with the Administrative Hearings Office. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before April 18, 2023.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-444. Filed for public inspection March 31, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Capital Advantage Assurance Company; Small Group Quarterly Update Filing (CABC-133583495); Rate Filing

Capital Advantage Assurance Company is requesting approval to adjust the premium on 37,587 lives in groups renewing in the third quarter (3Q) and fourth quarter (4Q) of 2023. The filing lowers the 3Q and 4Q rates by 1.8% over those approved in the prior annual filing.

Unless formal administrative action is taken prior to May 22, 2023, the subject filing may be deemed approved by operation of law.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-445. Filed for public inspection March 31, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Keystone Health Plan Central; Small Group Quarterly Update Filing (CABC-133583560); Rate Filing

Keystone Health Plan Central is requesting approval to adjust the premium on 177 lives in groups renewing in

the third quarter (3Q) and fourth quarter (4Q) of 2023. The filing lowers the 3Q and 4Q rates by 1.9% over those approved in the prior annual filing.

Unless formal administrative action is taken prior to May 22, 2023, the subject filing may be deemed approved by operation of law.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-446. Filed for public inspection March 31, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Act 127 of 2011—The Gas and Hazardous Liquids Pipeline Act; Assessment of Pipeline Operators—Jurisdiction over Class 1 Gas Gathering Lines and Certain LNG Facilities; Assessment of Pipeline Operators

Public Meeting held
March 16, 2023

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; Stephen M. DeFrank, Vice Chairperson; Ralph V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

Act 127 of 2011—The Gas and Hazardous Liquids Pipeline Act; Assessment of Pipeline Operators—Jurisdiction over Class 1 Gas Gathering Lines and Certain LNG Facilities; Assessment of Pipeline Operators; M-2012-2282031

Order

By the Commission:

On December 8, 2022, the Commission entered an Implementation Order in the above-captioned docket (Implementation Order) asserting jurisdiction over Class 1 gas gathering lines and certain liquified natural gas (LNG) facilities pursuant to the Gas and Hazardous Liquids Pipelines Act, 58 P.S. §§ 801.101 et seq. (Act 127) and in response to recent amendments to Federal pipeline safety regulations made in the final Gas Gathering Rule (Final Rule) of the U.S. Department of Transportation's (U.S. DOT's) Pipeline and Hazardous Materials Safety Administration (PHMSA).¹ On December 23, 2022, the Pennsylvania Independent Oil & Gas Association (PIOGA)² filed a Petition for Reconsideration (Petition) requesting the Commission to reconsider its determination that certain Class 1 gathering lines, specifically Type

¹ See Pipeline Safety: Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments, Docket No. PHMSA-2011-0023, Federal Register 86: 217 (November 15, 2021) p. 63266, available at Govinfo.gov <https://www.govinfo.gov/content/pkg/FR-2021-11-15/pdf/2021-24240.pdf>.

² PIOGA is a trade association representing oil and natural gas interests throughout Pennsylvania. PIOGA has over 360 members, including oil and natural gas producers, Commission-licensed natural gas suppliers and marketers, drilling contractors and service companies, as well as various professional firms, individuals and royalty owners. PIOGA members are involved in producing natural gas from conventional and unconventional formations and operating associated gathering lines. PIOGA has submitted comments in this docket concerning implementation of Act 127.

R lines, are subject to Act 127 registration and assessment given that such lines are subject only to annual and incident reporting requirements under Part 191 regulations and are not subject to the broader safety requirements under Part 192 regulations.

In this Order, we shall deny PIOGA's request for reconsideration regarding Act 127 registration but will grant clarification as to Act 127 assessments. Specifically, we find that Act 127 gives the Commission jurisdiction over Type R intrastate pipeline operators and requires these operators to register with the Commission on an annual basis. However, consistent with Act 127, as discussed further below, we will not assess these operators and will not require them to file Part 191 reports with the Commission at this time.

Legal Standards for Review

A party has the right to seek relief following the issuance of a final order relating to reconsideration or amendment of a final determination. 66 Pa.C.S. § 703(g); 52 Pa. Code § 5.572(a)—(c). A petition for reconsideration may properly raise new or novel arguments or considerations which appear to have been overlooked or not addressed in a final order. *Duick v. Pennsylvania Gas and Water Company*, 56 Pa. P.U.C. 553, 559 (1982) (*Duick*). In review, the Commission will first determine whether a party has properly raised a new or novel argument or identified an overlooked consideration in a final order and next will determinate whether it is appropriate to modify a prior determination given the new argument or overlooked consideration. See *SBG Management Services, Inc./Colonial Garden Realty Co., L.P. v. Philadelphia Gas Works*, Docket No. C-2012-2304183 (Order entered May 19, 2019).

The Petition

PIOGA asserts that the Commission committed an error of law by concluding that PHMSA's Final Rule and Act 127 give the Commission jurisdiction over Type R gas gathering lines. PIOGA argues that the Commission overlooked PHMSA's decision to exclude Type R lines from Part 192 safety regulation and to require compliance only with Part 191 reporting requirements to enable PHMSA to gather information to inform its decision "as to whether and to what extent to regulate" these lines under Part 192. PIOGA argues that since Type R lines are not subject to the broader safety requirements of the Part 192 regulations, Type R lines will not impact the Commission's pipeline safety program and, therefore, the Commission lacks jurisdiction under Act 127 to require Type R lines to register with the Commission and pay annual assessments.

PIOGA cites the Commission's Implementation Order, which stated:

Type R lines will be subject only to Part 191 incident and annual reporting requirements. Type R lines are a catch-all category for the Part 191 reporting-only *unregulated onshore gas gathering lines* in Class 1 or Class 2 locations that do not meet the definitions of Type A, Type B, or Type C lines.

Petition at 2 (citing Implementation Order at 7) (emphasis added by PIOGA). PIOGA submits that the term "regulated onshore gathering lines" means gathering lines that are subject to the broader safety requirements of the Part 192 regulations and do not include gathering lines that are subject only to the reporting requirements under Part 191. Petition at 3-4. PIOGA asserts that PHMSA

made clear in the Final Rule that there is a distinction between "gathering lines" and "regulated onshore gathering lines" and quotes PHMSA's Final Rule as follows:

Industry commenters were especially concerned about reporting requirements for pipeline attributes that were related to requirements that did not apply to *unregulated gas gathering lines*. . .

* * * * *

- Implement a phase-in period of at least 24 months for *unregulated gathering* annual reports;. . .

* * * * *

. . .PHMSA explained that it intended to create a new annual report form for *gas gathering lines that are not subject to safety requirements in part 192* (reporting *regulated gathering lines*) separate from the existing DOT Form PHMSA 7100.2—1 required for operators of gas transmission and regulated gas gathering lines.

Petition at 5 (citing *Federal Register* 86, p. 63274 (emphasis added by PIOGA)).

PIOGA further asserts that "PHMSA made clear in its responses to comments concerning the Final Rule that" its regulation of Type R lines is "grounded in its administrative information gathering authority and not its substantive rulemaking authority, and therefore Type R lines are not 'regulated onshore gathering lines.'" Petition at 5. PIOGA quotes the PHMSA's Final Rule as follows:

PHMSA disagrees with comments that it lacks the statutory authority to require reports from operators of *gathering lines other than currently regulated gathering lines as determined under § 192.8. Section 60117(b)* of Federal Pipeline Safety Law specifically authorizes the Secretary to "require owners and operators of *gathering lines to provide the Secretary information pertinent to the Secretary's ability to make a determination as to whether and to what extent to regulate gathering lines.*" Congress made no distinction between "gathering lines" and "regulated gathering lines" for reporting purposes. *This information-gathering process is precisely what the NPRM proposed—to gather information on all gathering lines that would enable PHMSA to make informed judgments about the need for, and scope, of potential regulation.* Congress intended that the Secretary have the authority to request information from operators of *unregulated gathering lines* in order to help determine" what additional gathering lines should be regulated." PHMSA seeks to obtain information regarding current risks to people, property, and the environment due to *unregulated rural gathering lines* to determine whether rural gathering lines are presenting unacceptable risk *that would warrant additional regulations.* The information contained in annual and incident reports submitted by operators under part 191 would reasonably help achieve this objective. . . .

. . .For clarity, this final rule designates *these reporting-regulated lines* as "Type R" gathering lines that are subject to reporting under part 191 *but are not designated as regulated gathering lines in part 192.* These requirements are necessary to evaluate the safety risks on gas gathering systems and determine what, if any, additional measures may be warranted to reduce those risks.

Petition at 5-6 (citing *Federal Register* 86, p. 63275 (footnote omitted; emphasis added by PIOGA)).

Accordingly, PIOGA respectfully asserts that the Commission's imposition of Act 127 registration and annual reporting requirements and the obligation to pay annual assessments on owners and operators of "Class 1 gathering lines" and "Class 1 gas gathering pipelines" is in error, as this exceeds the Commission's Act 127 authority, which is limited by Section 103 (relating to "Applicability") of Act 127: "The provisions of this act shall apply only to pipelines, pipeline operators or pipeline facilities regulated under Federal pipeline safety laws." Petition at 6. As Type R gas gathering lines are not "regulated onshore gathering lines" under 49 C.F.R. Part 192, they are not pipelines regulated under the Federal pipeline safety laws subject to Act 127. Petition at 7. As Class 1 Type R gas gathering lines do not implicate the Commission's gas pipeline safety program, there is no basis in Act 127 to require owners or operators of these gathering lines to register and contribute to the Commission's gas pipeline safety program. Petition at 7.

PIOGA respectfully requests that the Commission reconsider its determination that "Type R lines are a catch-all category for the Part 191 reporting-only regulated onshore gas gathering lines in Class 1 or Class 2 locations that do not meet the definitions of Type A, Type B, or Type C lines" and instead determine that Type R lines in Class 1 locations are not regulated onshore gathering lines subject to Act 127. Petition at 7. Accordingly, PIOGA requests that:

- the term "Class 1 gas gathering line" in Ordering Paragraph Nos. 1 and 3 be changed to "Class 1 Type C gas gathering line;"
- the phrase "Act 127 pipeline operators (Types A, B, C, and R)" in Ordering Paragraph No. 1 be changed to "Act 127 pipeline operators (Types A, B, and C);" and
- the term "Class 1 gas gathering miles" in Ordering Paragraph Nos. 4 and 5 be changed to "Class 1 Type C gas gathering miles."

Petition at 7.

Discussion

For the reasons discussed in more depth below, we find that Act 127 gives the Commission jurisdiction over Type R intrastate pipeline operators given that these operators are subject to Federal pipeline safety laws. 58 P.S. § 801.103. Since these lines are jurisdictional, these operators must register with the Commission and the Commission must maintain a registry of all Type R intrastate pipeline operators. 58 P.S. §§ 801.301(a), (c)(1).

However, consistent with Act 127, we will not require these operators to file Part 191 reports with the Commission. The Commission has a statutory duty to supervise and regulate pipeline operators consistent with Federal pipeline safety laws. 58 P.S. § 801.501. To be consistent with PHMSA's approach in the Final Rule, we understand that PHMSA intends to enforce the Part 191 reporting requirements for Type R intrastate pipeline operators and PHMSA finds authority to do so under 49 U.S.C. § 60105(a). Therefore, the Commission's gas safety program need not enforce the Part 191 reporting requirements for Type R intrastate pipeline operators at this time.

Additionally, we will not assess these operators at this time. The Commission has a statutory duty to determine, by order, an appropriate annual assessment of pipeline operators based on "regulated onshore gas gathering pipeline" miles adjusted to collect the pipeline operator's portion of the commission's total costs of the gas pipeline safety program. 58 P.S. § 801.503(a), (b). Given that the Type R intrastate pipelines are not "regulated onshore gas gathering pipelines," meaning they are not Part 192-regulated, there is no basis under Act 127 to assess Type R intrastate pipeline operators. Moreover, since the Commission's gas safety program will not be impacted at this time by Type R operators' Part 191 reporting obligations, it lends further support to not assess these operators at this time.

I. Commission Jurisdiction over Type R Gas Gathering Lines Pursuant to Act 127

The General Assembly has given the Commission authority to regulate intrastate non-utility³ pipeline operators pursuant to Act 127. Under the applicability provision of Act 127, the statute applies "only to pipelines, pipeline operators or pipeline facilities regulated under Federal pipeline safety laws." 58 P.S. § 801.103 (emphasis added). Act 127 defines a "pipeline operator," in relevant part, as a non-utility "person that owns or operates equipment or facilities in this Commonwealth for the transportation of gas...by pipeline or pipeline facility regulated under Federal pipeline safety laws." The term "pipeline" is also defined, in relevant part, to include only those pipelines "regulated by Federal pipeline safety laws." 58 P.S. § 801.102 (emphasis added).

Act 127 further defines the phrase "Federal pipeline safety laws" as follows:

The provisions of 49 U.S.C. Ch. 601 (relating to safety), the Hazardous Liquid Pipeline Safety Act of 1979 (Public Law 96-129, 93 Stat. 989), the Pipeline Safety Improvement Act of 2002 (Public Law 107-355, 116 Stat. 2985) and the regulations promulgated under the acts.

58 P.S. § 801.102 (emphasis added). The definition of "Federal pipeline safety laws" broadly includes "the regulations promulgated" by PHMSA under the "provisions of 49 U.S.C. Ch. 601 (relating to safety)." Based on the plain language,⁴ all regulations contained in Title 49 of the Code of Federal Regulations, Subtitle B, Subchapter D, Parts 190—199 regulations are included in the definition of "Federal pipeline safety laws." Therefore, Act 127 applies to pipelines, pipeline operators, or pipeline facilities that are subject to the regulations found at 49 CFR §§ 190.1 et seq.

We disagree with the argument that the above provisions should be interpreted to mean that the Commission has jurisdiction over a gas pipeline operator only if the gas pipeline operator is subject to Part 192 regulations. We find that the plain language of Act 127 does not

³ Likewise, the General Assembly has given the Commission jurisdiction over intrastate public utility pipeline operators in the Commonwealth pursuant to the Public Utility Code. See 66 Pa.C.S. §§ 102 (definition of public utility (1)(v)), 501.

⁴ The object of all interpretation and construction of statutes is to ascertain and effectuate the intention of the General Assembly. "Every statute shall be construed, if possible, to give effect to all its provisions." 1 Pa.C.S. § 1921(a); *Commonwealth v. McCoy*, 962 A.2d 1160, 1167-68 (Pa. 2009). A statute's plain language generally provides the best indication of legislative intent. *McCoy*, 962 A.2d at 1166; *Ephrata Area Sch. Dist. v. County of Lancaster*, 938 A.2d 264, 271 (Pa. 2007); *Pennsylvania Fin. Responsibility Assigned Claims Plan v. English*, 664 A.2d 84, 87 (Pa. 1995) ("Where the words of a statute are clear and free from ambiguity the legislative intent is to be gleaned from those very words."). Only where the words of a statute are not explicit will we resort to other considerations to discern legislative intent. *Ephrata Area Sch. Dist.*, supra; see also 1 Pa.C.S. § 1921(c); *In re Canvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*, 843 A.2d 1223, 1230 (Pa. 2004). Moreover, in this analysis, "[w]e are not permitted to ignore the language of a statute, nor may we deem any language to be superfluous." *McCoy*, 962 A.2d at 1168.

support such an interpretation. Instead, based on the plain language, we find that if a non-utility gas pipeline operator is subject to any part of the Federal pipeline safety laws, including if an operator is Part 191-reporting-regulated only, then the Commission has jurisdiction over the pipeline operator in accordance with Act 127. Since Type R intrastate pipeline operators are subject to Part 191 reporting requirements, Act 127 gives the Commission jurisdiction over Type R intrastate pipeline operators. Since we have jurisdiction over these operators, we find that these operators must register with us on an annual basis and that we must maintain a registry of these operators. However, consistent with Act 127, as discussed further below, we will not assess these operators, and we will not require them to file Part 191 reports with the Commission.

II. Act 127 Registration

On the issue of registration, Act 127 provides:

(a) *Registry*.—The commission shall establish and maintain a registry of all pipeline operators.

(b) *Application*.—The commission may develop an application for registration under subsection (a) and may charge a reasonable registration fee and annual renewal fee.

(c) *Registration with commission*.—

(1) A pipeline operator shall register with the commission.

(2) Failure to register shall subject the pipeline operator to a civil penalty under section 502.

(3) The operator of a pipeline in a Class 1 location that collects or transports gas from an unconventional well shall report the location of the pipeline by class location and approximate aggregate miles for inclusion in the commission's registry.

(d) *Disclosure*.—The commission shall require each pipeline operator, regardless of class location, to disclose in its initial registration and in each annual renewal the country of manufacture for all tubular steel products used in the exploration, gathering or transportation of natural gas or hazardous liquids. The commission may develop a disclosure form and require its use.

58 P.S. § 801.301.

As established in the discussion above, Type R intrastate pipelines and pipeline operators are jurisdictional. Since they are jurisdictional, Type R intrastate pipeline operators must register with the Commission, and the Commission must maintain a registry of these operators. 58 P.S. § 801.301(a), (c)(1). Accordingly, we will require Type R intrastate pipeline operators to register with the Commission pursuant to Act 127. 58 P.S. § 801.301(c)(1). We also direct Commission staff to maintain a registry of all Type R intrastate pipeline operators in accordance with Act 127. 58 P.S. § 801.301(a).

III. Commission's Duty under Act 127 to Supervise Pipeline Operators Consistent With Federal Pipeline Safety Laws

While we will require Type R intrastate pipeline operators to register with the Commission on an annual basis,

we clarify that we will not require these operators to file Part 191 reports with the Commission at this time. Act 127 establishes that the “safety standards and regulations for [non-utility] pipeline operators shall be those issued under the Federal pipeline safety laws as implemented in 49 CFR Subtitle B, Ch. 1, Subch. D (relating to pipeline safety) [49 C.F.R. § 190.1 et seq.]” 58 P.S. § 801.302. The Commission has a statutory duty to supervise and regulate pipeline operators consistent with Federal pipeline safety laws. 58 P.S. § 801.501. Specifically, Act 127 states: “The commission shall have general administrative authority to supervise and regulate pipeline operators within this Commonwealth *consistent with* Federal pipeline safety laws.” 58 P.S. § 801.501 (emphasis added).

The regulations promulgated in PHMSA's Final Rule make clear that operators of Type R lines are subject to mandatory reporting obligations under Part 191. *Federal Register* 86 (November 15, 2021), p. 63274.⁵ PHMSA noted that some commenters representing oil and gas producers opposed this proposal on the grounds that PHMSA had no statutory authority to require Class 1 gas gathering lines to comply with Part 191 reporting requirements if such lines are not regulated under Part 192 regulations. *Federal Register* 86, p. 63274. However, PHMSA responded to these comments by acknowledging that under Section 60117(b) of the Federal Pipeline Safety Act (Federal PSA), 49 U.S.C. § 60117(b), the Secretary has the statutory authority to gather information “to provide the Secretary information pertinent to the Secretary's ability to make a determination as to whether and to what extent to regulate gathering lines.” *Federal Register* 86, p. 63275. PHMSA, therefore, concluded that the “Final Rule fulfills the Congressional mandate” under 49 U.S.C. § 60117(b) “by requiring operators of *all on-shore gas gathering lines* to file incident and annual reports under [P]art 191.” *Federal Register* 86, p. 63275 (emphasis added).

PHMSA continued with its reasons for needing to gather information about Type R lines:

As demonstrated above, it is no longer reasonable to assume rural gas gathering lines pose uniformly low risk. Information on the changing functional and operational characteristics of gas gathering lines and their safety performance is necessary for PHMSA to better understand the consequences of these changes and to set requirements for gathering lines in the future. Extension of incident and annual reporting to these additional gas gathering lines will provide PHMSA information needed for identifying—and promulgating regulatory requirements or pursuing enforcement activity—design, manufacture, installation, and operational/maintenance issues common to particular pipeline characteristics or operators.

Federal Register 86, p. 63275.

It is our understanding that PHMSA intends to enforce the Part 191 reporting requirements for Type R intrastate pipeline operators in accordance with Federal regulations at 49 CFR §§ 190.201—190.243. We also learned of PHMSA's position that it has authority to enforce reporting requirements against intrastate pipeline operators under 49 U.S.C. § 60105(a). We agree with PHMSA's

⁵ PHMSA explained that Type R gas gathering pipelines must complete a new annual report form and new incident report form developed especially for these types of operators. *Federal Register* 86, p. 63275-76. PHMSA concluded that operators of “previously unregulated” Type R gas gathering lines “must begin submitting annual reports” . . . and “must submit a 2022 annual report no later than March 15, 2023.” *Federal Register* 86, p. 63276. PHMSA referred to this deadline as a “compliance deadline.” *Federal Register* 86, p. 63276.

position. To expand, PHMSA, through delegation by the Secretary of the U.S. DOT, administers the federal pipeline safety program pursuant to the Federal PSA, 49 U.S.C. §§ 60101 et seq. The Commonwealth, via the Commission, participates as a certified state in the pipeline safety program administered by PHMSA, as known as a state partner. The Federal PSA preempts state regulation of interstate⁶ and intrastate pipelines; however, the Federal PSA creates cooperative federalism by allowing a state to assume safety authority over intrastate pipelines through certification.⁷ To the extent a certified state regulates the safety standards and practices of intrastate pipeline operators, the Federal PSA expressly prohibits the Secretary of the U.S. DOT from prescribing or enforcing safety standards and practices for intrastate pipelines. 49 U.S.C. § 60105(a). Specifically, Section 60105(a) states:

General requirements and submission.—Except as provided in this section and sections 60114 and 60121 of this title, the Secretary of Transportation *may not prescribe or enforce safety standards and practices for an intrastate pipeline facility or intrastate pipeline transportation to the extent that the safety standards and practices are regulated by a State authority. . . that submits to the Secretary annually a certification for the facilities and transportation that complies with subsections (b) and (c) of this section.*

Id. (emphasis added). However, by its plain language, Section 60105(a) does not prohibit the Secretary from prescribing or enforcing reporting requirements for an intrastate pipeline operator to the extent a certified state regulates the reporting requirements of intrastate operators. Id.

PHMSA's decision in the Final Rule to prescribe and enforce the new reporting requirements against Type R intrastate pipeline operators is based on PHMSA's Federal statutory duty to gather information to enable a decision by PHMSA to promulgate safety standards and practices for Type R operators, if necessary. 49 U.S.C. § 60117(b). The Commission can only supervise and regulate intrastate pipeline operators consistent with Federal pipeline safety laws. 58 P.S. § 801.501(a). To be consistent with PHMSA's approach in the Final Rule, the Commission acknowledges that PHMSA intends to enforce the new Part 191 reporting requirements against Type R intrastate pipeline operators and that PHMSA finds its authority to do so under 49 U.S.C. § 60105(a). Accordingly, as clarification to our Implementation Order, the Commission need not enforce these new Part 191 annual and incident reporting requirements against Type R intrastate pipeline operators at this time.

⁶ PHMSA retains jurisdiction over interstate pipelines, and the Commission currently does not serve as PHMSA's agent to assist with PHMSA's oversight of interstate pipelines. 49 U.S.C. § 60106.

⁷ The Commission's gas safety program certifies annually to the Secretary of the U.S. DOT that it meets all requirements under the Federal PSA, including, but not limited to, the adoption and enforcement of the federal standards as the state's own minimum standards. In the certification process, a state must annually certify to the Secretary of the U.S. DOT that it has lawful enabling authority over intrastate pipelines and meets certain requirements, including, but not limited to, the state's adoption and enforcement of the federal safety standards and practices as the state's own minimum safety standards and practices. 49 U.S.C. §§ 60104(c); 60105, 60106; 49 C.F.R. Part 195, Appendix A to Part 195—Delineation Between Federal and State Jurisdiction—Statement of Agency Policy and Interpretation. Under the Federal PSA, a certified state is permitted to regulate the safety of intrastate pipeline facilities in accordance with its enabling statutory authority, regulations, and orders, so long as, such regulation is not incompatible with or less stringent than the minimum federal safety standards. See 49 U.S.C. §§ 60104(c), 60105; 49 C.F.R. Part 195, Appendix A to Part 195.

PHMSA is the agency that can and will decide whether to promulgate safety standards and practices for Type R pipeline operators. 58 P.S. §§ 801.501(a); 801.302. In the event PHMSA prescribes safety standards for Type R operators, then by operation of law, the Commission will have authority under Act 127 to enforce those safety standards as well as the reporting requirements for Type R intrastate pipeline operators consistent with the federal safety standards and regulations. As of now, however, the broader safety requirements of Part 192 do not apply to the Type R intrastate pipeline operators, as we clearly stated in our Implementation Order. Since PHMSA intends to enforce the new Part 191 reporting requirements for Type R intrastate pipeline operators at this time, we clarify that the Commission's gas safety program will not enforce the Part 191 reporting requirements for Type R intrastate operators at this time.

IV. Act 127 Assessments

While we will require Type R intrastate pipeline operators to register with the Commission on an annual basis, we will not assess these operators consistent with Act 127. The Commission has a statutory duty to determine, by order, an appropriate annual assessment of pipeline operators based on "regulated onshore gas gathering pipeline miles" adjusted to collect the pipeline operator's portion of the commission's total costs of the gas pipeline safety program. 58 P.S. § 801.503(a), (b). Type R intrastate pipelines are not "regulated onshore gas gathering pipelines" because these pipelines are not Part 192-regulated. See 49 CFR § 192.8(c)(3) ("[a] Type R gathering line is subject to reporting requirements under part 191 of this chapter but is not a *regulated onshore gathering line* under this part.") (emphasis added). For this reason, there is no basis in the language of Act 127 to assess Type R intrastate pipeline operators at this time. Moreover, as discussed above, the Commission's gas safety program will not enforce the Part 191 reporting requirements for Type R intrastate pipeline operators at this time and, accordingly, will not be impacted by these operators' Part 191 reporting obligations, lending further support to not assess these operators at this time.

Along these lines, we acknowledge the need for clarification as PIOGA highlighted in its Petition and, therefore, we will provide clarification for page 7 of the Implementation Order. Currently, it reads as follows:

Type R lines will be subject only to Part 191 incident and annual reporting requirements. Type R lines are a catch-all category for the Part 191 *reporting-only regulated onshore gas gathering lines* in Class 1 or Class 2 locations that do not meet the definitions of Type A, Type B, or Type C lines.

Implementation Order at 7 (emphasis added). The second sentence above should be clarified from "reporting-only regulated" to "reporting-regulated only" so it will read as follows: "Type R lines are a catch-all category for the Part 191 *reporting-regulated only* onshore gas gathering lines in Class 1 or Class 2 locations that do not meet the definitions of Type A, Type B, or Type C lines." Other than this clarification, we find that the Implementation Order makes clear that Type R gas gathering lines are subject only to reporting requirements of Part 191 and are not subject to Part 192 regulations.

For the reasons set forth above, we will deny PIOGA's request for reconsideration regarding Act 127 registration but will grant clarification as to Act 127 assessments. Specifically, we find that Act 127 gives the Commission jurisdiction over Type R intrastate pipeline operators and requires these operators to register with the Commission on an annual basis. However, consistent with Act 127, we will not assess these operators and will not require them to file Part 191 reports with the Commission at this time. *Therefore,*

It Is Ordered That:

1. The Petition for Reconsideration of Pennsylvania Independent Oil & Gas Association filed in the above-captioned docket on December 23, 2022, is hereby granted in part and denied in part.

2. The Implementation Order entered December 8, 2022, in the above-captioned docket shall be clarified consistent with this Order.

3. By May 15, 2023, all pipeline operators in the Commonwealth of Pennsylvania that own or operate a Type C Class 1 gas gathering line or a liquefied natural gas facility fed by a Type C Class 1 gas gathering line and not connected to the interstate pipeline system shall provide a copy of their Part 191 Annual Report filed with the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration to the Commission's Bureau of Investigation & Enforcement Safety Division by email at RA-PC-PipelineSafety@pa.gov. Thereafter, Types A, B, and C pipeline operators (excluding Type R pipeline operators) shall provide a copy of their PHMSA annual report by March 15th of each year to the Commission's Bureau of Investigation & Enforcement Safety Division by email at RA-PC-PipelineSafety@pa.gov.

4. All pipeline operators in the Commonwealth of Pennsylvania that own or operate a Type C or Type R gas gathering line shall file with the Commission an Annual Registration Form by March 31, 2023, and thereafter on March 31st of each year, in accordance with the December 8, 2022 Implementation Order and this Order and the then-current Pipeline Operator Annual Registration Form available on the Commission's website.

5. In addition to computing the annual assessment for Types A and B pipeline operators, that the Commission's Fiscal Office shall compute the annual assessment for Type C Class 1 gas gathering pipeline operators (and not Type R pipeline operators) based on the pipeline operator's current Annual Registration Form and in accordance with Act 127. For the 2023-24 assessment covering fiscal year July 1, 2023, through June 30, 2024, the Fiscal Office shall include Type C Class 1 regulated onshore gas gathering pipeline miles.

6. The Bureau of Technical Utility Services shall modify the Annual Registration Form consistent with this Order, *inter alia*, to include Type C Class 1 regulated onshore gas gathering pipeline miles in the Total Column in Attachment B to the Pipeline Operator Annual Registration Form.

7. Types A, B, and C pipeline operators subject to Act 127 assessments shall pay their assessment within 30 days of the postmark date of the invoice. For the 2023-2024 assessment, invoices shall be mailed in accordance with the Commission's assessment procedures and pipeline operators shall pay their assessments within 30 days of the postmark date of the invoice.

8. A copy of this Order shall be published in the *Pennsylvania Bulletin* and be posted on the Commission's website.

9. A copy of this Order shall be served on the Bureau of Investigation & Enforcement.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: March 16, 2023

ORDER ENTERED: March 16, 2023

[Pa.B. Doc. No. 23-447. Filed for public inspection March 31, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellation of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language

Public Meeting held
March 16, 2023

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; Stephen M. DeFrank, Vice Chairperson; Ralph V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

*Electric Generation Supplier License Cancellation of
Companies with an Expired Financial Security,
Insufficient Financial Security Amount or Language;
M-2023-3037455*

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferably in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website, and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of March 7, 2023, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2009-2135746	EDGE INSIGHTS, INC.	3/1/2023	Yes
A-2022-3031529*	OCTOPUS ENERGY, LLC	2/20/2023	Yes
A-2012-2328664*	PARK POWER, LLC	2/1/2023	Yes
A-2012-2289792	RJT ENERGY CONSULTANTS, LLC	2/6/2023	Yes
A-2019-3007847*	SOUTH BAY ENERGY CORP.	2/26/2023	No

*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier's assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2023-3037455 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature

or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: March 16, 2023

ORDER ENTERED: March 16, 2023

[Pa.B. Doc. No. 23-448. Filed for public inspection March 31, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Buck Hill Water Company for a Declaratory Order Regarding Proposed Conveyances of Certain Interests in Real Property Owned by Buck Hill Water Company; Doc. No. P-2023-3037427

The Buck Hill Water Company (Water Company) has petitioned the Pennsylvania Public Utility Commission

(Commission) for a declaratory order under 52 Pa. Code § 5.42 (relating to petitions for declaratory orders) to resolve uncertainty regarding proposed conveyances of certain interests in real estate currently owned by the Water Company and requested a declaration that neither the Water Company, nor an affiliated entity, Buck Hill Falls Company, needs to obtain certificates of public convenience before consummating any of the proposed conveyances.

In accordance with 52 Pa. Code §§ 5.61—5.66 (relating to answers), answers and petitions to intervene must be filed and served on or before 20 days after this notice is published in the *Pennsylvania Bulletin*, and replies must be filed and served on or before 40 days after this notice is published in the *Pennsylvania Bulletin*.

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 counsel for the Water Company. Electronic filing and service is available by obtaining 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>. The public documents filed relative to the Water Company's petition are available for inspection and copying at the Commission's Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday. Additionally, the public documents may be viewed and downloaded on the Commission's web site at www.puc.pa.gov.

Petitioner: Buck Hill Water Company

By and Through Counsel for the Petitioner: Jonathan P. Nase, Esquire (PA ID 44003), Cozen O'Connor, 17 North Second Street, Suite 1410, Harrisburg, PA 17101, (717) 773-4191, jnase@cozen.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-449. Filed for public inspection March 31, 2023, 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 17, 2023. 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 17, 2023. 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-2023-3038459. Leannie's Transportation, LLC (708 Peace Street, Hazleton, Luzerne County, PA 18201) to transport, as a common carrier, by motor vehicle, in paratransit service, persons from points in Luzerne County, to points in Pennsylvania, and return.

A-2023-3038664. Goldstar Nemet, LLC (103 Saint Tropez Circle, Beaver Falls, Beaver County, PA 15010) to transport persons, by motor vehicle, in paratransit service, from points in Beaver County, to points in Pennsylvania, and return.

A-2023-3038694. BTS Services, Inc. (1801 Oberlin Road, Suite 205, Middletown, Dauphin County, PA 17057) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Dauphin, Lancaster and Lebanon, to points in Pennsylvania, and return.

A-2023-3038925. Always Compassionate Transportation, LLC (3 Bala Plaza W118, Bala Cynwyd, Montgomery County, PA 19004) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia.

A-2023-3038950. M.A. Service, LLC (117 Cumberland Place, Bryn Mawr, Montgomery County, PA 19010) persons in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2023-3039051. Aim to Ride Accessible Transportation, Inc. (210 North 5th Street, Reading, Berks County, PA 19601) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service in wheelchair vans, between points in Berks County. *Attorney:* Edwin L. Stock, Esquire, 50 North 5th Street, 4th Floor, Reading, PA 19601.

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-2023-3038790. Cali's Carrier, LLC (P.O. Box 2, Hyde, Clearfield County, PA 16843) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

Applications of the following for the approval of the *right and privilege to discontinuel/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2023-3039017. Life Force of Western PA, Inc. (P.O. Box 528, Greenville, Mercer County, PA 16125) for the discontinuance and cancellation of its right, to transport as a common carrier, by motor vehicle, in paratransit service, between points in Mercer County, as more thoroughly described in the original ordering paragraph at Docket A-00116116. *Attorney:* Joseph A. Zator, II, 4400 Walbert Avenue, Allentown, PA 18104.

A-2023-3039058. Carole Ann Misheck (R.D. # 2, Box 496, Sunbury, Northumberland County, PA 17801) for the discontinuance and cancellation of the right and privilege to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania, as originally docketed at Docket A-00109800.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-450. Filed for public inspection March 31, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2023-3039123. Verizon North, LLC and Consolidated Communications Enterprise Services, Inc., f/k/a Penn Telecom, Inc. Joint petition of Verizon North, LLC and Consolidated Communications Enterprise Services, Inc., f/k/a Penn Telecom, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Consolidated Communications Enterprise Services, Inc., f/k/a Penn Telecom, Inc., by their counsel, filed on March 21, 2023, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon North, LLC and Consolidated Communications Enterprise Services, Inc., f/k/a Penn Telecom, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-451. Filed for public inspection March 31, 2023, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia

have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than April 17, 2023. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Peter Carnival at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-23-03-02. M&F Taxi, Co. (1213 South 47th Street, Philadelphia, PA 19143): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-23-03-03. Muntaha, Inc. (4411 Walnut Street, Apartment 3C, Philadelphia, PA 19104): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-23-03-04. Abey & Helen, Inc. (8103 Lindbergh Boulevard, Philadelphia, PA 19153): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-23-03-05. Gebru Taxi, Inc. (2804 South Simpson Street, Philadelphia, PA 19142): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-23-03-06. Prabhu Trans, Inc. (7005 Pennsylvania Avenue, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-23-03-07. Chirnoor Trans, Inc. (7005 Pennsylvania Avenue, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-23-03-08. Makouya19, LLC (626 Darby Terrace, Darby, PA 19023): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David Temple, Esq., 627 Whitney Street, Philadelphia, PA 19116.

Doc. No. A-23-03-09. Baaj, Inc. (812 Pembroke Avenue, Lansdowne, PA 19050): An application for a medallion taxicab CPC to transport, as a common carrier,

persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

RICH LAZER,
Executive Director

[Pa.B. Doc. No. 23-452. Filed for public inspection March 31, 2023, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at March Meeting

As part of its regular business meeting held on March 16, 2023, in Harrisburg, PA, the Susquehanna River Basin Commission (Commission) approved the applications of certain water resources projects and took additional actions, as set forth in the Supplementary Information as follows.

The business meeting was held on March 16, 2023.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788. Also see the Commission web site at www.srbc.net.

Supplementary Information

In addition to the actions taken on projects identified in the previous summary, these actions were also taken: (1) ratification of one grant amendment and approval of one grant agreement; (2) authorization to release a proposed general permit GP-02 for public comment; and (3) actions on 18 regulatory program projects.

Project Applications Approved:

1. Project Sponsor and Facility: BKV Operating, LLC (North Branch Wyalusing Creek), Middletown Township, Susquehanna County, PA. Application for surface water withdrawal of up to 2.731 mgd (peak day).

2. Project Sponsor and Facility: Dover Township, York County, PA. Application for renewal of groundwater withdrawal of up to 0.360 mgd (30-day average) from Well 8 (Docket No. 19911104).

3. Project Sponsor and Facility: First Quality Tissue, LLC (Bald Eagle Creek), Allison, Bald Eagle and Castanea Townships, Clinton County, PA. Applications for renewal of surface water withdrawal of up to 10.500 mgd (peak day) and consumptive use of up to 2.500 mgd (peak day) (Docket No. 20080303).

4. Project Sponsor and Facility: Hardinge, Inc., Town of Horseheads, Chemung County, NY. Applications for groundwater withdrawals (30-day averages) of up to 0.550 mgd from Well 4 and renewal of 0.580 mgd from Well 5 (Docket No. 19900302).

5. Project Sponsor: Helix Ironwood, LLC. Project Facility: Ironwood Generating Station (Pennsy Quarry), South Lebanon Township, Lebanon County, PA. Applications for renewal of surface water withdrawal, consumptive use and out-of-basin diversion of up to 4.500 mgd (peak day) (Docket No. 19980502).

6. Project Sponsor and Facility: Mount Union Municipal Authority, Wayne Township, Mifflin County, PA. Appli-

cation for renewal of groundwater withdrawal of up to 0.432 mgd (30-day average) from Well # 3—Lemkelde (Docket No. 20070303).

7. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Fall Brook), Ward Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20180303).

8. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Fellows Creek), Ward Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20180304).

9. Project Sponsor and Facility: Seneca Resources Company, LLC (Arnot No. 5 Mine Discharge), Bloss Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20180305).

10. Project Sponsor and Facility: Seneca Resources Company, LLC (Cowanesque River), Deerfield Township, Tioga County, PA. Application for renewal with modification to increase the surface water withdrawal by an additional 0.661 mgd, for a total of up to 1.600 mgd (peak day) (Docket No. 20220920).

11. Project Sponsor and Facility: Seneca Resources Company, LLC (Susquehanna River), Sheshequin Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 0.850 mgd (peak day) (Docket No. 20180306).

12. Project Sponsor: Springwood, LLC. Project Facility: Bridgewater Golf Club, York Township, York County, PA. Application for renewal of consumptive use of up to 0.099 mgd (30-day average) (Docket No. 20080307).

13. Project Sponsor and Facility: SWN Production Company, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20180307).

14. Project Sponsor and Facility: Wise Foods, Inc., Berwick Borough, Columbia County, PA. Application for renewal of groundwater withdrawal of up to 0.860 mgd (30-day average) from Well PW-1 (Docket No. 19920502).

15. Project Sponsor: Wynding Brook, Inc. Project Facility: Wynding Brook Golf Club, Turbot Township, Northumberland County, PA. Application for renewal of consumptive use of up to 0.099 mgd (30-day average) (Docket No. 20080304).

Commission-Initiated Project Approval Modification:

1. Project Sponsor: Knouse Foods Cooperative, Inc. Project Facility: Peach Glen Plant, Tyrone and Huntington Townships, Adams County and Dickinson Township, Cumberland County, PA. Conforming the grandfathered amount with the forthcoming determination for groundwater withdrawals (30-day averages) of up to 0.327 mgd combined from Wells 2, 4, 5, 7—10 and 13, and up to 0.046 mgd from Well 13 (Docket No. 20040912).

Projects Tabled:

1. Project Sponsor: Biglerville Borough Authority. Project Facility: Biglerville Borough Water Company, Biglerville Borough and Butler Township, Adams County, PA. Application for renewal of groundwater withdrawal of up to 0.112 mgd (30-day average) from Well 7 (Docket No. 19930503).

2. Project Sponsor and Facility: Dillsburg Area Authority, Carroll Township, York County, PA. Application for renewal of groundwater withdrawal of up to 0.460 mgd (30-day average) from Well 7 (Docket No. 20070907).

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: March 21, 2023

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 23-453. Filed for public inspection March 31, 2023, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following projects from February 1, 2023, through February 28, 2023.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified.

Water Source Approval—Issued Under 18 CFR 806.22(f):

1. BKV Operating, LLC; Pad ID: Bonnice 2; ABR-201011023.R2; Jessup Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 9, 2023.

2. Blackhill Energy, LLC; Pad ID: NICHOLS 1H Pad; ABR-201008090.R2; Smithfield Township, Bradford County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: February 9, 2023.

3. Chesapeake Appalachia, LLC; Pad ID: Dunny; ABR-201011066.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 9, 2023.

4. Chesapeake Appalachia, LLC; Pad ID: Lytwyn; ABR-201011028.R2; Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 9, 2023.

5. Coterra Energy, Inc.; Pad ID: EmpetD P1; ABR-201211007.R2; Harford Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 9, 2023.

6. Coterra Energy, Inc.; Pad ID: McLeanD P1; ABR-201211009.R2; Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 9, 2023.

7. Coterra Energy, Inc.; Pad ID: WoodE P1; ABR-201211008.R2; Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 9, 2023.

8. EOG Resources, Inc.; Pad ID: RIGHTMIRE 2H Pad; ABR-201008083.R2; Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 9, 2023.

9. EXCO Resources (PA), LLC; Pad ID: COP Tract 727 (Pad 3); ABR-201211011.R2; Gallagher Township, Clinton County, PA; Consumptive Use of Up to 8.0000 mgd; Approval Date: February 9, 2023.

10. Repsol Oil & Gas USA, LLC; Pad ID: ABELL LIVING TRUST (05 082); ABR-201011052.R2; Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: February 9, 2023.

11. SWN Production Company, LLC; Pad ID: MULLOY PAD; ABR-201209008.R2; Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: February 9, 2023.

12. SWN Production Company, LLC; Pad ID: TI-01 Mase Monte; ABR-201711002.R1; Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: February 9, 2023.

13. Blackhill Energy, LLC; Pad ID: KINGSLEY 4H; ABR-201008079.R2; Springfield Township, Bradford County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: February 14, 2023.

14. Repsol Oil & Gas USA, LLC; Pad ID: HUTCHINSON (05 165) R; ABR-201011064.R2; Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: February 16, 2023.

15. Coterra Energy, Inc.; Pad ID: HordisC P1; ABR-201211016.R2; Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 20, 2023.

16. Seneca Resources Company, LLC; Pad ID: Neal 815; ABR-201011058.R2; Chatham Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 20, 2023.

17. Seneca Resources Company, LLC; Pad ID: Propheta 288; ABR-201011078.R2; Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 20, 2023.

18. Seneca Resources Company, LLC; Pad ID: Sevem 474; ABR-201011071.R2; Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 20, 2023.

19. SWN Production Company, LLC; Pad ID: HARRIS PAD; ABR-201211015.R2; Harford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: February 20, 2023.

20. SWN Production Company, LLC; Pad ID: LOKE PAD; ABR-201211014.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: February 20, 2023.

21. Chesapeake Appalachia, LLC; Pad ID: Allen Drilling Pad; ABR-201009002.R2.1; Asylum Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 20, 2023.

22. Chesapeake Appalachia, LLC; Pad ID: Kerrick Drilling Pad; ABR-201103040.R2.1; Asylum Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 20, 2023.

23. Chesapeake Appalachia, LLC; Pad ID: Bishop Drilling Pad; ABR-201212014.R2; Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 26, 2023.

24. Chesapeake Appalachia, LLC; Pad ID: Harvey Drilling Pad; ABR-201212015.R2; Lemon Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 26, 2023.

25. Chesapeake Appalachia, LLC; Pad ID: SGL 12 N WEST DRILLING PAD; ABR-201801001.R1; Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 26, 2023.

26. Coterra Energy, Inc.; Pad ID: KielarD P1; ABR-201112002.R2; Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 26, 2023.

27. SWN Production Company, LLC; Pad ID: SHELTON EAST PAD; ABR-201211013.R2; Thompson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: February 26, 2023.

28. Chesapeake Appalachia, LLC; Pad ID: Cochran Drilling Pad; ABR-201301003.R2; West Burlington Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: February 28, 2023.

29. Coterra Energy, Inc.; Pad ID: TeddickM P3; ABR-201212006.R2; Brooklyn Township, Susquehanna County,

PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 28, 2023.

30. Seneca Resources Company, LLC; Pad ID: I G Coveney Revocable LVG Trust 282; ABR-201012032.R2; Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 28, 2023.

31. SWN Production Company, LLC; Pad ID: PLATUS PAD; ABR-201212004.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: February 28, 2023.

32. SWN Production Company, LLC; Pad ID: RACINE PAD; ABR-201212003.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: February 28, 2023.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: March 9, 2023

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 23-454. Filed for public inspection March 31, 2023, 9:00 a.m.]

