

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending April 25, 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>
04-20-2023	Camden Asset Management, LP Los Angeles Los Angeles County, CA	Filed
	Application for approval to purchase preferred shares in excess of 10% of the perpetual noncumulative convertible preferred stock, Series A, of Republic First Bancorp, Inc., Philadelphia, PA, the parent company of Republic First Bank, Philadelphia, PA.	

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
04-24-2023	Mid Penn Bank Millersburg Dauphin County, PA	Approved
	Application for approval to merge Brunswick Bank and Trust Company, New Brunswick, NJ, with and into Mid Penn Bank, Millersburg, PA.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
04-20-2023	CNB Bank Clearfield Clearfield County	1524 West College Avenue State College Centre County	Approved
04-20-2023	CNB Bank Clearfield Clearfield County	1960 Old Gatesburg Road State College Centre County	Approved

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
04-24-2023	Meridian Bank Malvern Chester County	<i>To:</i> 220 West Lancaster Avenue Wayne Delaware County	Effective
		<i>From:</i> 1776 East Lancaster Avenue Paoli Chester County	

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
04-24-2023	American Bank Allentown Lehigh County Amendment to Article Second of the institution's Articles of Incorporation provides for the principal place of business of the bank to be relocated from 4029 West Tilghman Street, Allentown, Lehigh County, PA, to 615 Waterfront Drive, Suite 501, Allentown, Lehigh County, PA. Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	Approved

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

[Pa.B. Doc. No. 23-592. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Snowmobile and ATV Advisory Committee Public Meeting

The Snowmobile and ATV Advisory Committee (Committee) to the Department of Conservation and Natural Resources (Department) will hold a public meeting on May 10, 2023, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The public meeting may be attended virtually by means of Microsoft Teams. Individuals participating through Microsoft Teams must register prior to the meeting on the Committee's web site at <https://www.dcnr.pa.gov/SnowmobileATVAdvisoryCommittee>.

Questions concerning this public meeting or agenda can be directed to Jake Newton at (717) 783-3349. Those wishing to participate during the public comment section are encouraged to submit their comments in writing to janewton@pa.gov.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Aara Vinsh directly at (717) 787-9306 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 23-593. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Albright College to Amend Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Albright College to amend its Articles of Incorporation to change its address from 13th and Union Streets, P.O. Box 15234, Reading, PA to 1621 North 13th Street, Reading, Berks County, PA; to clarify that the College is now incorporated under the Nonprofit Corporation Law of 1988; to add language of obtaining exemption under 501(c)(3) of the Internal Revenue Code; to remove provisions stating "candidates for all degrees shall complete a college course of four (4) years"; and to update the order of the Articles of Incorporation for clarity.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

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

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

DR. KHALID N. MUMIN,
Acting Secretary

[Pa.B. Doc. No. 23-594. Filed for public inspection May 5, 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).

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General 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>
1023809	Joint DEP/PFBC Pesticides Permit	New	Erwin Schramm 163 Schramm Lane Butler, PA 16002-0649	Penn Township Butler County	NWRO
1023810	Joint DEP/PFBC Pesticides Permit	New	Melissa Allen 1274 W Liberty Road Slippery Rock, PA 16057-4322	Worth Township Butler County	NWRO
1023811	Joint DEP/PFBC Pesticides Permit	New	Heather Conrad 217 Hall Road Slippery Rock, PA 16057-5507	Clay Township Butler County	NWRO
1023812	Joint DEP/PFBC Pesticides Permit	New	Lynn Heichel 219 Kelly Road Slippery Rock, PA 16057-4213	Worth Township Butler County	NWRO
1513816	Joint DEP/PFBC Pesticides Permit	Renewal	Jenners Pond 2000 Greenbriar Lane West Grove, PA 19390-9485	Penn Township Chester County	SERO
2013803	Joint DEP/PFBC Pesticides Permit	Renewal	Bloomfield Township Lake Authority 22978 Shreve Ridge Road Union City, PA 16438-3540	Bloomfield Township Crawford County	NWRO
2223804	Joint DEP/PFBC Pesticides Permit	New	Phillips Laura 735 Phillips Road Millersburg, PA 17061-9047	Upper Paxton Township Dauphin 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>
2523801	Joint DEP/PFBC Pesticides Permit	New	Village at Vallet View Condo Assoc. 3645 W Lake Road Erie, PA 16505-3450	Summit Township Erie County	NWRO
2823802	Joint DEP/PFBC Pesticides Permit	New	Crider Daryl 4272 Woodcove Road Greencastle, PA 17225-9757	Peters Township Franklin County	SCRO
4322801	Joint DEP/PFBC Pesticides Permit	Transfer	Carl Randall 1250 North Road Sandy Lake, PA 16145-4910	French Creek Township Mercer County	NWRO
4323803	Joint DEP/PFBC Pesticides Permit	New	Alessa Stover 5886 Virginia Road Hermitage, PA 16148-9143	Hermitage City Mercer County	NWRO
5323801	Joint DEP/PFBC Pesticides Permit	New	Brenda & Larry Kauffman 101 Huntingwood Drive Lancaster, PA 17602-1390	Ulysses Township Potter County	NCRO
2817201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Transfer	Herbrucks of PA LLC 6425 West Grand River Avenue Saranac, MI 48881-9669	Montgomery Township Franklin County	SCRO
3612202	Manure Storage and Wastewater Impoundments Individual WQM Permit	Amendment	Star Rock Farms LLC 175 Chestnut Grove Road Conestoga, PA 17516-9317	Manor Township Lancaster County	SCRO
PA0063304	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Amendment Minor	Blythe Township Municipal Authority 375 Valley Street New Philadelphia, PA 17959-1218	Cass Township Schuylkill County	NERO
PA0083852	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Finicle Venture LLC 32 Ferry Lane Liverpool, PA 17045-9254	Buffalo Township Perry County	SCRO
PA0028282	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	DEP-Initiated Minor Amendment	Eagles Mere Borough Authority Sullivan County P.O. Box 393 Eagles Mere, PA 17731-0393	Eagles Mere Borough Sullivan County	NCRO
3917402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Lehigh County Authority 112 W Union Street Allentown, PA 18102-4912	North Whitehall Township Lehigh County	NERO
NOEXSC198	No Exposure Certification	Renewal	Carpenter Co. 5016 Monument Avenue Richmond, VA 23230-3620	Lititz Borough Lancaster County	SCRO
PAG030010	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	PCI Fairless Hills LLC 529 Terminal Avenue New Castle, DE 19720-1426	Falls Township Bucks County	SERO
PAG030094	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JNA Materials LLC P.O. Box 59 Ambler, PA 19002-0179	Whitemarsh 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>
PAG030113	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Amazon.com Service LLC P.O. Box 80842 Attn: NA Environmental Department Seattle, WA 98108-0842	Bristol Township Bucks County	SERO
PAG030193	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	National RR Passenger Corp. 400 W 31st Street Floor 4 New York, NY 10001-4606	Falls Township Bucks County	SERO
PAG030211	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Safety Kleen System Inc. 77 Towpath Road Fairless Hills, PA 19030-4300	Falls Township Bucks County	SERO
PAG030217	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Sunbelt Forest Products P.O. Box 1218 Bartow, FL 33831	Falls Township Bucks County	SERO
PAG030220	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Archer Daniels Midland 100 Cabot Boulevard E Langhorne, PA 19047-1841	Falls Township Bucks County	SERO
PAG030229	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Oldcastle Infrastructure 200 Keystone Drive Telford, PA 18969	West Rockhill Township Bucks County	SERO
PAG030265	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Johnson Matthey Inc. 456 Devon Park Drive Wayne, PA 19087-1816	Tredyffrin Township Chester County	SERO
PAG030266	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Alloy Surfaces Co. Inc. 121 North Commerce Drive Chester Township, PA 19014	Chester Township Delaware County	SERO
PAG030271	PAG-03 NPDES General Permit for Industrial Stormwater	New	Oldcastle APG Northeast Inc. 1214 Hayes Boulevard Bristol, PA 19007-2913	Bristol Township Bucks County	SERO
PAG032234	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Omnova Solutions Inc. 175 Ghent Road Akron, OH 44333	West Brunswick Township Schuylkill County	NERO
PAG032299	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Rock Hill Concrete Inc. 339 School Street Suite # 1 Catasauqua, PA 18032-1835	Parryville Borough Carbon County	NERO
PAG032348	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 1821 S 19th Street Harrisburg, PA 17104-3206	Scranton City Lackawanna County	NERO
PAG032352	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Pottsville City Schuylkill County	NERO
PAG032353	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Wilkes-Barre Scranton International Airport 100 Terminal Road Avoca, PA 18641	Avoca Borough Luzerne County	NERO
PAG032355	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Environmental & Recycling Service Inc. 1100 Union Street Taylor, PA 18517-1604	Taylor Borough Lackawanna 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>
PAG032356	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ardent Mills LLC P.O. Box 193 4888 South Delaware Drive Martins Creek, PA 18063-0193	Lower Mount Bethel Township Northampton County	NERO
PAG032357	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Blythe Recycling & Demolition Site Holdings Inc. 1786 Salcman Road Waterloo, NY 13165-9444	Blythe Township Schuylkill County	NERO
PAG033504	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	York Bldg Products Co. Inc. 950 Smile Way York, PA 17404	Earl Township Lancaster County	SCRO
PAG033508	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lester R Summers Trucking Inc. 40 Garden Spot Road Ephrata, PA 17522-9803	Ephrata Township Lancaster County	SCRO
PAG033516	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cargill Inc. 15407 McGinty Road W Wayzata, MN 55391-2365	Straban Township Adams County	SCRO
PAG033517	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Everett RR Co. 424 2nd Avenue Duncansville, PA 16635-9471	Blair Township Blair County	SCRO
PAG033533	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lens Concrete Service 1956 State Route 22 Jonestown, PA 17038-8911	Swatara Township Lebanon County	SCRO
PAG033536	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Zeager Bros Inc. 4000 E Harrisburg Pike Middletown, PA 17057-4651	Londonderry Township Dauphin County	SCRO
PAG033541	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Knouse Foods Cooperative Inc. P.O. Box 807 Biglerville, PA 17307-0807	Biglerville Borough Adams County	SCRO
PAG033542	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Knouse Foods Cooperative Inc. P.O. Box 807 Biglerville, PA 17307-0807	Hamiltonban Township Adams County	SCRO
PAG033543	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Knouse Foods Cooperative Inc. P.O. Box 807 Biglerville, PA 17307-0807	Tyrone Township Adams County	SCRO
PAG033559	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bell & Evans Realty LLC P.O. Box 39 154 W Main Street Fredericksburg, PA 17026-0039	Bethel Township Lebanon County	SCRO
PAG033563	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hooper Inc. P.O. Box 518 Intercourse, PA 17534-0518	Leacock Township Lancaster County	SCRO
PAG033564	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Knouse Foods Cooperative Inc. P.O. Box 807 Biglerville, PA 17307-0807	Chambersburg Borough Franklin County	SCRO
PAG033578	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Allen Distr. 1532 Commerce Avenue Carlisle, PA 17015	Carlisle Borough Cumberland 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>
PAG033594	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Mechanicsburg Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Silver Spring Township Cumberland County	SCRO
PAG033607	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Deamer Trucking Ltd 152 Energex Drive Mifflintown, PA 17059-7796	Walker Township Juniata County	SCRO
PAG033610	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Dormakaba USA Inc. 1 Dorma Drive Reamstown, PA 17567	East Cocalico Township Lancaster County	SCRO
PAG033620	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325	Tyrone Township Adams County	SCRO
PAG033630	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	AMZ Manufacturing Corp 2206 Pennsylvania Avenue York, PA 17404-1790	York City York County	SCRO
PAG033631	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	AMZ Manufacturing Corp 100 Boxwood Lane York, PA 17402-9305	Springettsbury Township York County	SCRO
PAG033634	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Smeal LTC LLC 64 Cocalico Creek Road Ephrata, PA 17522-9455	West Earl Township Lancaster County	SCRO
PAG033641	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	BBGY Inc. dba Boger Concrete Co. 2090 N Union Street Middletown, PA 17057-2958	Lower Swatara Township Dauphin County	SCRO
PAG033646	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pratt Carlisle Corrugating LLC 200 Goodman Drive Carlisle, PA 17013-7902	Carlisle Borough Cumberland County	SCRO
PAG033650	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cargill Inc. 15407 McGinty Road W Wayzata, MN 55391-2365	Mount Joy Borough Lancaster County	SCRO
PAG033651	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cargill Inc. 15407 McGinty Road W Wayzata, MN 55391-2365	Lebanon City Lebanon County	SCRO
PAG033692	PAG-03 NPDES General Permit for Industrial Stormwater	New	The Shyft Group USA Inc. 601 Stony Battery Road Landisville, PA 17538-1401	Manor Township Lancaster County	SCRO
PAG033724	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Consolidated Scrap Resources Inc. 120 Hokes Mill Road P.O. Box 7520 York, PA 17404-5505	West Manchester Township York County	SCRO
PAG033798	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Mack Trucks Inc. 2800 Commerce Drive Middletown, PA 17057-3204	Lower Swatara Township Dauphin County	SCRO
PAG033802	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Rubin Steel Co. 965 Lancaster Pike Quarryville, PA 17566-9746	Lancaster City Lancaster 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>
PAG033804	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Armstrong Cabinet Products 4600 Arrowhead Drive Ann Arbor, MI 48105-2773	Delaware Township Juniata County	SCRO
PAG033805	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hershey Co. 1033 Old West Chocolate Avenue Hershey, PA 17033	Derry Township Dauphin County	SCRO
PAG033806	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Helix Ironwood LLC 305 Prescott Road Lebanon, PA 17042-9178	South Lebanon Township Lebanon County	SCRO
PAG033807	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Altoona Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Allegheny Township Blair County	SCRO
PAG033808	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Glen Gery Corp 433 S Pottsville Pike Shoemakersville, PA 19555-9742	Perry Township Berks County	SCRO
PAG033809	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	AHF LLC 1067 Dillerville Road Lancaster, PA 17603-2613	Lancaster City Lancaster County	SCRO
PAG033836	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Sunoco Midstream LLC 3900 Essex Lane Suite 700 Houston, TX 77027-5166	Hampden Township Cumberland County	SCRO
PAG033863	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	LSC Communications 216 Greenfield Road Lancaster, PA 17601-5885	Lancaster City Lancaster County	SCRO
PAG033864	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Full Circle Recycling Inc. 965 Lancaster Pike Quarryville, PA 17566-9746	Lancaster Township Lancaster County	SCRO
PAG033865	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cargill Cocoa & Chocolate Inc. 201 W Lincoln Avenue Lititz, PA 17543-1012	Lititz Borough Lancaster County	SCRO
PAG033866	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	International Paper Co. 6400 Poplar Avenue Memphis, TN 38197-0100	Biglerville Borough Adams County	SCRO
PAG033880	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Target Corp 3001 Archer Drive Chambersburg, PA 17202-7736	Guilford Township Franklin County	SCRO
PAG033892	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	ADM Alliance Nutrition Inc. 2000 Hummel Avenue Camp Hill, PA 17011-5944	Lower Allen Township Cumberland County	SCRO
PAG033893	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Reading Truck Body LLC P.O. Box 650 825 E Wyomissing Boulevard Reading, PA 19607-0650	Reading City Berks County	SCRO
PAG033898	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Petermann Northeast LLC 2601 Navistar Drive Lisle, IL 60532-3679	Mount Joy Township Lancaster County	SCRO

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PAG033899	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	New Enterprise Stone & Lime Co. Inc. P.O. Box 77 New Enterprise, PA 16664-0077	East Earl Township Lancaster County	SCRO
PAG033900	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Armstrong World Ind Inc. P.O. Box 3001 Lancaster, PA 17604-3001	Manor Township Lancaster County	SCRO
PAG033901	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Greble Scrap Recycling & U Pull It Yard 988 Houtztown Road Myerstown, PA 17067-1665	Bethel Township Lebanon County	SCRO
PAG033902	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Church & Dwight Co. Inc. 5197 Commerce Drive York, PA 17408-9511	Jackson Township York County	SCRO
PAG033903	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lancaster Airport Authority 500 Airport Road Suite G Lititz, PA 17543-7752	Manheim Township Lancaster County	SCRO
PAG033904	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Tate Access Floors Inc. 52 Springvale Road Red Lion, PA 17356-8337	Windsor Township York County	SCRO
PAG033905	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	York Materials Group LLC 950 Smile Way York, PA 17404-1725	Berwick Township Adams County	SCRO
PAG033906	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Baughmans U-Pull-It 441 N Eberts Lane York, PA 17403-1140	York City York County	SCRO
PAG033910	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	York Bldg. Products Co. Inc. 950 Smile Way York, PA 17404	Spring Garden Township York County	SCRO
PAG033912	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Gerard Daniel Worldwide 34 Barnhart Drive Hanover, PA 17331-9586	Hanover Borough York County	SCRO
PAG033913	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Metaltech Recycling LLC 4555 Mount Pisgah Road York, PA 17406	Lower Windsor Township York County	SCRO
PAG033914	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	V & S Lebanon Galvanizing LLC 153 Micro Drive Jonestown, PA 17038-8743	Union Township Lebanon County	SCRO
PAG033928	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Norfolk Southern Railway Co. 650 W Peachtree Street NW Box 13 Atlanta, GA 30308-1925	Logan Township Blair County	SCRO
PAG033938	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Penn Mar Castings LLC 500 Broadway Hanover, PA 17331-2001	Hanover Borough York County	SCRO
PAG033949	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Sunoco Midstream LLC 5125 Simpson Ferry Road Mechanicsburg, PA 17050-3708	Allegheny Township Blair County	SCRO

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PAG033953	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Westrock Box on Demand LLC 500 Richardson Drive Lancaster, PA 17603-4038	East Hempfield Township Lancaster County	SCRO
PAG033965	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Freight Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601-2004	Lower Swatara Township Dauphin County	SCRO
PAG033966	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Gichner System Group Inc. 490 E Locust Street Dallastown, PA 17313-1902	York Township York County	SCRO
PAG033967	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Gehman Feed Mill Inc. 44 N 3rd Street Denver, PA 17517-1604	Denver Borough Lancaster County	SCRO
PAG033968	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Kennametal Inc. 442 Chalybeate Road Bedford, PA 15522-8637	Bedford Township Bedford County	SCRO
PAG033969	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Weaver Ind Inc. 425 S 4th Street P.O. Box 326 Denver, PA 17517-1224	Denver Borough Lancaster County	SCRO
PAG033970	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bird In Hand Woodworks 3031 Industry Drive Lancaster, PA 17603-4025	East Hempfield Township Lancaster County	SCRO
PAG033971	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Melrose Ind Plc Acco Material Handling Solutions 76 Acco Drive York, PA 17402-4668	York Township York County	SCRO
PAG033972	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Everett RR Co. 424 2nd Avenue Duncansville, PA 16635-9471	Greenfield Township Blair County	SCRO
PAG033977	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Marlette Homes Inc. 30 Industrial Park Road Lewistown, PA 17044-9312	Granville Township Mifflin County	SCRO
PAG033980	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Carlisle Coatings & Waterproofing Inc. P.O. Box 1349 Carlisle, PA 17013-6349	Carlisle Borough Cumberland County	SCRO
PAG033981	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Airgas USA LLC P.O. Box 13577 Reading, PA 19612-3577	Muhlenberg Township Berks County	SCRO
PAG033982	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	CP Converters Inc. 15 Grumbacher Road York, PA 17406-8417	Manchester Township York County	SCRO
PAG033983	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bagnell Jordan 1496 Benjamin Franklin Highway Douglassville, PA 19518	Douglass Township Berks County	SCRO
PAG033986	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hartlaub & Sons Used Auto Parts Inc. 270 Kuhn Road Littlestown, PA 17340-9444	Mount Pleasant Township Adams County	SCRO

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PAG033987	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FM Browns Sons Inc. 205 Woodrow Avenue P.O. Box 0116 Sinking Spring, PA 19608-1402	Sinking Spring Borough Berks County	SCRO
PAG033989	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	BFI Waste Service of PA LLC 372 S Henderson Road King of Prussia, PA 19406-2408	Ontelaunee Township Berks County	SCRO
PAG033992	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Esterly Concrete Co. Inc. 100 Park Avenue Reading, PA 19608-1328	Sinking Spring Borough Berks County	SCRO
PAG033993	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Mitsubishi Chemicals Adv Mat Inc. 2120 Fairmont Avenue Reading, PA 19605-3041	Reading City Berks County	SCRO
PAG033996	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Donsco Inc. 100 South Jacob Street Mount Joy, PA 17552	Mount Joy Borough Lancaster County	SCRO
PAG033997	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Ground Pkg System Inc. 1000 FedEx Drive Moon Township PA 15108-9373	Fairview Township York County	SCRO
PAG033998	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	NPX One LLC 4275 Reading Crest Avenue Reading, PA 19605-1130	Muhlenberg Township Berks County	SCRO
PAG034827	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Bass Energy Service 351 Industrial Parkway Muncy, PA 17756-6657	Muncy Borough Lycoming County	NCRO
PAG034847	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Nextier Completion Solutions Inc. 3990 Rogerdale Road Houston, TX 77042-5142	Charleston Township Tioga County	NCRO
PAG034960	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Conestoga Wood Specialties Corp P.O. Box 158 245 Reading Road East Earl, PA 17519-0158	Beavertown Borough Snyder County	NCRO
PAG034961	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Sunoco Midstream LLC 8111 Westchester Drive Suite 600 Dallas, TX 75225-6140	Armstrong Township Lycoming County	NCRO
PAG034970	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Judsons Inc. 6872 Austinville Road Columbia Cross Roads, PA 16914-8415	Columbia Township Bradford County	NCRO
PAG035010	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Tetra Tech Inc. 2467 S Main Street Mansfield, PA 16933-9389	Richmond Township Tioga County	NCRO
PAG035013	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hamilton Patriot LLC 50 Patriot Lane Montgomery, PA 17752-6501	Clinton Township Lycoming County	NCRO
PAG035014	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hamilton Liberty LLC 151 Liberty Lane Towanda, PA 18848-5301	Asylum Township Bradford County	NCRO

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PAG035016	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Northern Tier SWA 108 Steam Hollow Road Burlington, PA 18814-9001	West Burlington Township Bradford County	NCRO
PAG035019	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Nabors Drilling USA Inc. 515 W Greens Road Suite 200 Houston, TX 77067-4531	Lawrence Township Clearfield County	NCRO
PAG035023	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Victaulic Co. P.O. Box 31 Easton, PA 18044-0031	Lawrence Township Tioga County	NCRO
PAG035025	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Norfolk Southern Railway Co. 650 W Peachtree Street NW Box 13 Atlanta, GA 30308-1925	Northumberland Borough Northumberland County	NCRO
PAG035027	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Conestoga Wood Specialties Corp. P.O. Box 158 East Earl, PA 17519-0158	Spring Township Snyder County	NCRO
PAG036123	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Universal Pressure Pumping Inc. 2198 University Drive Lemont Furnace, PA 15456-1026	North Union Township Fayette County	SWRO
PAG036135	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Brookman Auto Parts Inc. 4 Race Street Washington, PA 15301-5345	Canton Township Washington County	SWRO
PAG036157	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Chestnut Ridge Foam Inc. 443 Warehouse Drive Latrobe, PA 15650-3573	Derry Township Westmoreland County	SWRO
PAG036172	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Sprague Energy LLC 1045 W Chestnut Street Washington, PA 15301-5306	Washington City Washington County	SWRO
PAG036191	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fullerton Terminals DE LLC 80 William Street Suite 400 Wellesley, MA 02481-3705	Neville Township Allegheny County	SWRO
PAG036211	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Norfolk Southern Railway Co. 200 N 4th Avenue Altoona, PA 16601-6702	Cresson Borough Cambria County	SWRO
PAG036215	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Durham School Service LP 1112 1st Avenue Jefferson Hills, PA 15025	Jefferson Hills Borough Allegheny County	SWRO
PAG036218	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Watco Transloading LLC 2000 Napor Boulevard Pittsburgh, PA 15205	Pittsburgh City Allegheny County	SWRO
PAG036230	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Heidelberg Materials Ne LLC 2200 Springfield Pike Connellsville, PA 15425-6412	Coraopolis Borough Allegheny County	SWRO
PAG036245	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Brad Foote Gear Works Inc. 5100 Neville Road Pittsburgh, PA 15225-1401	Neville Township Allegheny County	SWRO

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PAG036257	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Chestnut Valley Landfill LLC 1184 McClellandtown Road McClellandtown, PA 15458	German Township Fayette County	SWRO
PAG036263	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Dynamet Inc. 195 Museum Road Washington, PA 15301-6135	Chartiers Township Washington County	SWRO
PAG036265	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Kehm Oil Co. P.O. Box 130 Oakdale, PA 15071	North Fayette Township Allegheny County	SWRO
PAG036275	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JJ Kennedy Inc. P.O. Box 69 Zelienople, PA 16063-0069	Robinson Township Washington County	SWRO
PAG036281	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	ABF Freight System Inc. 3801 Old Greenwood Road Fort Smith, AR 72903-5937	Pittsburgh City Allegheny County	SWRO
PAG036295	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Valmont Pittsburgh Galvanizing 9 S 12th Street Midland, PA 15059-1641	Midland Borough Beaver County	SWRO
PAG036296	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Heidelberg Materials NE LLC 2200 Springfield Pike Connellsville, PA 15425-6412	Lower Burrell City Westmoreland County	SWRO
PAG036299	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Maitri Genetics LLC 120 Beta Drive Pittsburgh, PA 15238-2932	Ohara Township Allegheny County	SWRO
PAG036317	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Heidelberg Materials NE LLC 2200 Springfield Pike Connellsville, PA 15425-6412	Economy Borough Beaver County	SWRO
PAG036318	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Heidelberg Materials NE LLC 2200 Springfield Pike Connellsville, PA 15425-6412	Somerset Township Washington County	SWRO
PAG036319	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Heidelberg Materials NE LLC 111 Asphalt Lane Adamsburg, PA 15611	Hempfield Township Westmoreland County	SWRO
PAG036381	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Beaver Falls Tubular Products LLC 6051 Wallace Road Ext Suite 200 Wexford, PA 15090	West Mayfield Borough Beaver County	SWRO
PAG036446	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Quaker Sales Corp P.O. Box 880 Johnstown, PA 15907-0880	West Taylor Township Cambria County	SWRO
PAG036447	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	First Student Inc. 110 Perimeter Prk. Suite E Knoxville, TN 37922-2200	Ellwood City Borough Beaver County	SWRO
PAG036451	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	M T S Truck Repair 5 Main Street P.O. Box 78 Smithfield, PA 15478-8942	Smithfield Borough Fayette County	SWRO

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PAG036452	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Greene County 93 E High Street Waynesburg, PA 15370	Franklin Township Greene County	SWRO
PAG036478	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Metalico Neville Inc. 3100 Grand Avenue Pittsburgh, PA 15225-1502	Neville Township Allegheny County	SWRO
PAG036479	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	UPS Inc. 2450 Rathmell Road Obetz, OH 43207-4582	Pittsburgh City Allegheny County	SWRO
PAG036480	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Morton Salt Inc. 444 W Lake Street Chicago, IL 60606-0010	Pittsburgh City Allegheny County	SWRO
PAG036481	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Deep Valley Coal & Disposal Inc. 7111 Steubenville Pike Oakdale, PA 15071-9111	North Fayette Township Allegheny County	SWRO
PAG036482	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Refinery Co. of PA P.O. Box 780 Warren, PA 16365-0780	Springdale Borough Allegheny County	SWRO
PAG036483	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Golden Eagle Const Co. P.O. Box 945 Uniontown, PA 15401-0945	North Union Township Fayette County	SWRO
PAG036484	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	CBC Latrobe Acquisition LLC 100 33rd Street Latrobe, PA 15650-1477	Latrobe Borough Westmoreland County	SWRO
PAG036485	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Norfolk Southern Railway Co. 650 W Peachtree Street NW Box 13 Atlanta, GA 30308-1925	Union Township Washington County	SWRO
PAG036486	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Dynamet Inc. 195 Museum Road Washington, PA 15301-6135	Chartiers Township Washington County	SWRO
PAG036487	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Portage Auto Wreckers 3740 Portage Street Portage, PA 15946-6541	Portage Township Cambria County	SWRO
PAG036488	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	The Techs Ind Inc. 300 Mifflin Road Pittsburgh, PA 15207-1910	Pittsburgh City Allegheny County	SWRO
PAG036490	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Kennametal Inc. 1600 Technology Way P.O. Box 231 Latrobe, PA 15650-4647	Unity Township Westmoreland County	SWRO
PAG036491	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Freight Inc. 2200 Forward Drive DC 2270 Harrison, AR 72601-2004	Cambria Township Cambria County	SWRO
PAG036493	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Jordan Auto Parts Inc. 217 Moffit Road Dilliner, PA 15327-2615	Dunkard Township Greene County	SWRO

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PAG036494	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lindy Paving Inc. 2340 2nd Avenue Pittsburgh, PA 15219-3106	Pittsburgh City Allegheny County	SWRO
PAG036495	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Stoelzle Glass USA Inc. 400 9th Street Monaca, PA 15061-1862	Monaca Borough Beaver County	SWRO
PAG036496	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	West Salisbury Foundry & Mach Co. Inc. P.O. Box 541 Salisbury, PA 15558-0541	Elk Lick Township Somerset County	SWRO
PAG036497	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JJ Kennedy Inc. 1700 SR 588 Fombell, PA 16123	Marion Township Beaver County	SWRO
PAG036498	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	AMG Resources Corp. 2 Robinson Plaza Pittsburgh, PA 15205-1017	Donegal Township Washington County	SWRO
PAG036499	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Freight Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601-2004	Richland Township Allegheny County	SWRO
PAG036500	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Greco Recycling Service Inc. P.O. Box 229 Tarentum, PA 15084-0229	East Deer Township Allegheny County	SWRO
PAG036501	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Freight Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601-2004	East Huntingdon Township Westmoreland County	SWRO
PAG036502	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ascent Tubular Products 1001 E Waterfront Drive Munhall, PA 15120-1098	Munhall Borough Allegheny County	SWRO
PAG036503	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Greco Recycling Service Inc. P.O. Box 229 Pittsburgh Road Tarentum, PA 15084-0229	Tarentum Borough Allegheny County	SWRO
PAG036504	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Allegheny Petro Products Co. 999 Airbrake Avenue Wilmerding, PA 15148-1064	Wilmerding Borough Allegheny County	SWRO
PAG036505	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	TForce Freight Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	Chartiers Township Washington County	SWRO
PAG036506	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	PPG Ind Inc. 440 College Park Drive Monroeville, PA 15146-1553	Monroeville Borough Allegheny County	SWRO
PAG036509	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	USPS Penn Hills 11650 Penn Hills Drive Pittsburgh, PA 15235-9721	Penn Hills Township Allegheny County	SWRO
PAG036510	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Mallet & Co. Inc. 1 N Bell Avenue Carnegie, PA 15106-1847	Carnegie Borough Allegheny County	SWRO

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PAG036512	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	SA Recycling LLC 2411 N Glassell Street Orange, CA 92865-2717	Koppel Borough Beaver County	SWRO
PAG036513	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Watco Transloading LLC 2701 Midland Beaver Road Industry, PA 15052-1709	Industry Borough Beaver County	SWRO
PAG036514	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Watco Transloading LLC 2701 Midland Beaver Road Industry, PA 15052-1709	Industry Borough Beaver County	SWRO
PAG036515	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Crouse Hinds Division 2800 N Main Street Washington, PA 15301-6100	Chartiers Township Washington County	SWRO
PAG036516	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Johnson Matthey Inc. 605 Mountain View Drive Smithfield, PA 15478-1648	Georges Township Fayette County	SWRO
PAG038329	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	CSX Transportation Inc. 500 Water Street # J275 Jacksonville, FL 32202-4423	Erie City Erie County	NWRO
PAG038366	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ellwood Crankshaft & Mach Co. 2727 Freedland Road Hermitage, PA 16148-9027	Hermitage City Mercer County	NWRO
PAG038389	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ellwood Crankshaft & Mach Co. 303 Llodio Drive Hermitage, PA 16148-9017	Hermitage City Mercer County	NWRO
PAG038391	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Ellwood Mill Products Co. 712 Moravia Street New Castle, PA 16101-3948	New Castle City Lawrence County	NWRO
PAG038426	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Asbury Graphite Mills Inc. 280 Linde Road Kittanning, PA 16201-4718	North Buffalo Township Armstrong County	NWRO
PAG038427	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Clear Lake Lumber Inc. P.O. Box 129 Spartansburg, PA 16434-0129	Spartansburg Borough Crawford County	NWRO
PAG038428	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Brass Works Inc. 944 W 12th Street Erie, PA 16501-1515	Erie City Erie County	NWRO
PAG038429	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	A Duchini Inc. P.O. Box 10005 Erie, PA 16514-0005	Erie City Erie County	NWRO
PAG038434	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Baillie Lumber Co. Inc. 4002 Legion Drive Hamburg, NY 14075-4508	Oil Creek Township Crawford County	NWRO
PAG038435	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Air Products & Chemicals Inc. 7201 Hamilton Boulevard Allentown, PA 18195-9642	Butler Township Butler County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG038439	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Vogel Disposal Service Inc. P.O. Box 1080 Mars, PA 16046-1080	Adams Township Butler County	NWRO
PAG038445	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Altium Pkg LLC 15 Mineral Street Oil City, PA 16301-3244	Oil City Venango County	NWRO
PAR033909	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Paul B Zimmerman Inc. P.O. Box 300 Ephrata, PA 17522-0300	Clay Township Lancaster County	SCRO
PAR212216	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Rock Hill Concrete Inc. 339 School Street Suite # 1 Catasauqua, PA 18032-1835	Parryville Borough Carbon County	NERO
PAR803734	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Greenwood Motor Lines dba R&L Carriers 600 Gilliam Road Wilmington, OH 45177-9089	North Lebanon Township Lebanon County	SCRO
PAG066128	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Swissvale Borough Allegheny County 7560 Roslyn Street Pittsburgh, PA 15218-2556	Swissvale Borough Allegheny County	SWRO
PAG124870	PAG-12 NPDES General Permit for CAFOs	Amendment	Rushtown Poultry LLC 90 Court Street Bethel, PA 19507	Rush Township Northumberland County	SCRO
0223401	Pump Stations Individual WQM Permit	New	Findlay Township Municipal Authority 143 Frost Road Gardners, PA 17324-8812	Findlay Township Allegheny County	SWRO
3623403	Sewer Extensions Individual WQM Permit	New	Elizabethtown Borough Lancaster County 600 S Hanover Street Elizabethtown, PA 17022-2522	Elizabethtown Borough Lancaster County	SCRO
6723402	Sewer Extensions Individual WQM Permit	New	Newberry Township York County 1915 Old Trail Road Etters, PA 17319-9130	Newberry Township York County	SCRO
0723405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Harbaugh George 564 Maple Lane East Freedom, PA 16637-8822	Greenfield Township Blair County	SCRO
1012401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Clark Mariah 138 Saint Joe Road Butler, PA 16002-0050	Oakland Township Butler County	NWRO
2423401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Beimel Harold 134 Country Club Road Ridgway, PA 15853	Spring Creek Township Elk County	NWRO
PA0255513	Small Flow Treatment Facility Individual NPDES Permit	Transfer	KC Food & Fuel LLC 7397 Lincoln Highway Central City, PA 15926-7901	Stonycreek Township Somerset County	SWRO
5618401	Small Flow Treatment Facility Individual WQM Permit	Transfer	KC Food & Fuel LLC 7397 Lincoln Highway Central City, PA 15926-7901	Stonycreek Township Somerset 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>
6597401	Small Flow Treatment Facility Individual WQM Permit	Transfer	M&K Truck Center of Pittsburgh 2141 Mount Pleasant Road West Newton, PA 15089-1836	South Huntingdon Township Westmoreland County	SWRO
WQG01362201	Small Flow Treatment Facility Individual WQM Permit	New	RR Ave Apt LLC 41 Run Valley Road Conestoga, PA 17516-9734	East Donegal Township Lancaster County	SCRO
WQG02462304	WQG-02 WQM General Permit	New	East Whiteland Township Chester County 209 Conestoga Road Frazer, PA 19355-1633	East Whitehead Township Chester County	SERO

II. Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

Northcentral Regional Office

PA0008591, Industrial, SIC Code 2631, **Gold Bond Building Products, LLC**, 2586 Old Route 15, West Milton, PA 17856. Facility Name: Milton Paper Plant. This existing facility is located in White Deer Township, **Union County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.231 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	190	285	XXX	100.0	150.0	200
Total Suspended Solids	190	285	XXX	100.0	150.0	200
Total Dissolved Solids	XXX	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Sulfate, Total	XXX	Report	XXX	XXX	Report	XXX
Thallium, Total (ug/L)	XXX	Report	XXX	XXX	Report	XXX
Chloride	XXX	Report	XXX	XXX	Report	XXX
Bromide	XXX	Report	XXX	XXX	Report	XXX

The proposed monitoring requirements for Outfall 002 are as follows:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	2,758 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	132 Total Annual	XXX	XXX	XXX	XXX

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

The EPA Waiver is not in effect.

Northwest Regional Office

PA0034851, Sewage, SIC Code 4952, **Parker Area Authority**, P.O. Box 342, Parker, PA 16049-0342. Facility Name: Parker City STP. This existing facility is located in Parker City, **Armstrong County**.

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

The receiving stream, the Allegheny River (WWF), is located in State Water Plan watershed 17-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 0.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	62.6	95.1	XXX	25.0	38.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	75.1	112.6	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Chloride	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg Report Annl Avg	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Nickel, Total	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Zinc, Total	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0219045, Sewage, SIC Code 4952, **Apollo Ridge School District**, 1825 State Route 56, Spring Church, PA 15686-9735. Facility Name: Apollo Ridge School District STP. This existing facility is located in Kiskiminetas Township, **Armstrong 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, an Unnamed Tributary to the Roaring Run (CWF), is located in State Water Plan watershed 18-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0267 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.1	XXX	0.3
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	5.5	XXX	11.0
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0221783, Sewage, SIC Code 6515, **SMG Development LLC**, 120 State Route 908 Extension, Tarentum, PA 15084-2911. Facility Name: Crystal Springs MHP. This existing facility is located in Mercer Township, **Butler County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0195 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean		
Total Nitrogen	Report	XXX	XXX	XXX	XXX	Report
	Annl Avg			Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Annl Avg		
Nov 1 - Apr 30				11.5	XXX	23
May 1 - Oct 31	XXX	XXX	XXX	3.5	XXX	7
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0223000, Sewage, SIC Code 7033, **Kalyumet Campground, LLC**, 716 Waverly Street, Houston, TX 77007-1407. Facility Name: Kalyumet Campground. This existing facility is located in Highland Township, **Clarion County**.

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

The receiving stream, the Callihan Run (CWF (existing use)), is located in State Water Plan watershed 17-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.01 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.22	XXX	0.72
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean		
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
				Report	XXX	XXX
				Annl Avg		

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ammonia-Nitrogen	XXX	XXX	XXX	21.6	XXX	43.2
Nov 1 - Apr 30	XXX	XXX	XXX	7.2	XXX	14.4
May 1 - Oct 31	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Annl Avg	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0240052, Sewage, SIC Code 8800, **Celeste Deets**, 22980 Plank Road, Venango, PA 16440-2030. Facility Name: Celeste Deets SRSTP. This existing facility is located in Venango Township, **Crawford County**.

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

The receiving stream, the French Creek (WWF), is located in State Water Plan watershed 16-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0292958, Sewage, SIC Code 8800, **Michael Brandon**, 185 Leslie Road, Valencia, PA 16059-1127. Facility Name: Michael Brandon SRSTP. This proposed facility is located in Middlesex Township, **Butler County**.

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

The receiving stream(s), Unnamed Tributary to Glade Run (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 .0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min XXX	10.0	XXX	20

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0293067, Sewage, SIC Code 8800, **Jacob Guertin & Sara Thompson**, 1215 Middle Street, Pittsburgh, PA 15212-4838. Facility Name: Jacob Guertin & Sara Thompson SRSTP. This proposed facility is located at Old Shades Beach Rd; Index # 27-22-8-124 located in Harborcreek Township, **Erie County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .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 814-332-6078.

The EPA Waiver is in effect.

Northwest Regional Office

PA0293105, Sewage, SIC Code 8800, **Aaron Norcross**, 188 Ohle Road, Clarks Mills, PA 16114-1922. Facility Name: Aaron Norcross SRSTP. This proposed facility is located in Perry Township, **Mercer 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 Little Shenango River (TSF), is located in State Water Plan watershed 20-A 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 .0004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0293113, Sewage, SIC Code 8800, **Petruska James**, 106 Lilac Lane, Valencia, PA 16059-2212. Facility Name: James Petruska SRSTP. This proposed facility is located at 114 Lilac Lane, Valencia, PA 16059-2212 in Middlesex Township, **Butler 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 Glade Run (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.

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0022608, Industrial, SIC Code 3089, **Molded Fiber Glass Company**, 6175 US Highway 6, Linesville, PA 16424-5921. Facility Name: Molded Fiber Glass Tray. This existing facility is located in Pine Township, **Crawford County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04745 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	Inst Min	30.0	60.0	60
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30

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

- Chemical Additives
- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0084883, Sewage, SIC Code 4952, **Broad Top City Borough, Huntingdon County**, P.O. Box 220, Broad Top, PA 16621-0220. Facility Name: Broad Top City Borough STP. This existing facility is located in Broad Top City Borough, **Huntingdon County**.

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

The receiving stream(s), Unnamed Tributary to Shoup Run (WWF), is located in State Water Plan watershed 11-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 0.06 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.04	XXX	0.13
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	12.0	20.0	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	15	22.0	XXX	30.0	45.0	60.0
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	Report
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	4.0
Total Phosphorus	1.0	XXX	XXX	2.0	XXX	Report
Chesapeake Bay requirements.						

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		IMAX
	Monthly	Annual		Average Monthly	Maximum	
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX

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

- Solids management for non-lagoon system, chlorine minimization, notification of designated operator, hauled in waste restriction.

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0088684, Sewage, SIC Code 7033, **John S Lentz & Rachel L Lentz**, 12733 Pleasant Hills Drive, Hesston, PA 16647-0086. Facility Name: Pleasant Hills Campground. This existing facility is located in Penn Township, **Huntingdon County**.

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

The receiving stream(s), Unnamed Tributary to Hawns Run to Raystown Branch Juniata River (WWF), is located in State Water Plan watershed 11-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 0.002 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0291790, Sewage, SIC Code 8811, **Dirk Labonte**, 14600 Burnt Mill Road, Shippensburg, PA 17257-9111. Facility Name: Dirk Labonte SRSTP. This proposed facility is located in Lurgan Township, **Franklin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 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 (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0293946, Sewage, SIC Code 8811, **Anthony L. Ott**, 280 Feaster Road, Chambersburg, PA 17202-9262. Facility Name: Anthony Ott Properties. This proposed facility is located in Guilford Township, **Franklin County**.

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

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

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

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0294004, Sewage, SIC Code 8811, **William Baer**, 1367 Oppenheimer Road, Bedford, PA 15522-7585. Facility Name: Baer Properties. This proposed facility is located in Bedford Township, **Bedford County**.

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

The receiving stream(s), Unnamed Tributary to Oppenheimer Run (WWF, MF), is located in State Water Plan watershed 11-C and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 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 (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0294047, Sewage, SIC Code 8811, **Stephanie M McKinley**, 330 Beastons Road, Tyrone, PA 16686-8207. Facility Name: McKinley Properties. This proposed facility is located in Snyder Township, **Blair County**.

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

The receiving stream(s), Schell Run (WWF, MF), is located in State Water Plan watershed 11-A 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)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Annual Average	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	Annl Avg XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0253448, Industrial, SIC Code 3273, **Gavco Materials, Inc.**, 1739 Grange Road, Charleroi, PA 15022-3429. Facility Name: Charleroi Plant. This proposed facility is located in Fallowfield Township, **Washington County**.

Description of Proposed Activity: The application is for a new NPDES permit for discharges of industrial waste and stormwater associated with industrial activities.

The receiving stream, Unnamed Tributary of Pigeon Creek (WWF), is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 003 are for variable stormwater discharges.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.0002 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved 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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	7.0	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Chloride	XXX	XXX	XXX	XXX	Report	XXX
MBAS	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are for variable stormwater discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are for variable stormwater discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are based on a design flow of 0.0002 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved 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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	7.0	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
MBAS	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 are for variable stormwater discharges.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved 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
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	0.314	0.490	0.784

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Iron, Dissolved	XXX	XXX	XXX	Report	7.0	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
MBAS	XXX	XXX	XXX	XXX	Report	XXX

Outfalls 001, 002, and 006 are approved to discharge stormwater associated with industrial activities but are not subject to effluent limits or monitoring requirements. Discharges from Outfalls 001, 002, and 006 are represented by discharges from Outfall 005.

In addition, the permit contains the following major special conditions: a schedule of compliance for water quality-based effluent limits for hexavalent chromium at Outfall 008; requirements for optional stream withdrawals; and requirements for stormwater discharges.

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

PAI136145, MS4, Castle Shannon Borough Allegheny County, 3310 McRoberts Road, Castle Shannon, PA 15234-2711.

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 Castle Shannon Borough, **Allegheny County**. The receiving stream(s), Sawmill Run (WWF), Unnamed Tributary to Sawmill Run (WWF) and Painters Run (WWF), is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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 for small MS4s and is not in effect for large MS4s.

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

Northcentral Regional Office

Applicant: **UGI Utilities, Inc.**

Applicant Address: 1 UGI Drive, Denver, PA 17517

Application Number: **PAD590013**

Application Type: New

Municipality/County: Gaines Township, **Tioga County**

Total Earth Disturbance Area (acres): 1.35

Surface Waters Receiving Stormwater Discharges: Pine Creek (EV, MF)

Proposed Effluent Limitations: The draft permit requires implementation of an Erosion and Sediment Con-

trol (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: The proposed gas main will run along Route 6 from address 960 Route 6 to intersection with Elk Run Road then proceed north along Barnhart Corners Road to address 21 Barnhart Corners Road. An additional proposed gas main will run along Rainbow Lane from address 2 Rainbow Lane to address 1133 Route 6.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 570-327-3693.

Southwest Regional Office

Applicant: **Frank Zokaites**

Applicant Address: 375 Golfside Drive, Wexford, PA 15090

Application Number: **PAD020008**

Application Type: Renewal

Municipality/County: Indiana Township, **Allegheny County**

Total Earth Disturbance Area (acres): 22.1

Surface Waters Receiving Stormwater Discharges: UNT to Little Pine Creek (TSF), Squaw Run (HQ-WWF)

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: Fox Chapel Estates consists of 91 townhouses, associated roadways, storm sewers, grading, infrastructure, and stormwater facilities.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 412-442-4286.

**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>
Gretna View Farms— David Rosenberry 3709 North Colebrook Road Manheim, PA 17545	Lancaster County	147	504.01	Layers	NA	Renewal
John R Lefever 1045 Holtwood Road Quarryville, PA 17566	Lancaster County	320	346.5	Layers	HQ	Renewal
Jason Wenger 5376 Elizabethtown Road Manheim, PA 17545	Lancaster County	116.9	421.24	Swine	NA	Renewal
Oakryn Family Farm LLC— Galen Nolt 222 Little Britain Church Road Peach Bottom, PA 17563	Lancaster County	375	1,008.52	Dairy/ Swine/ Layers	HQ	Renewal
Hickory Hollow Farm, LLC 491 Barnsley Road Oxford, PA 19363	Chester County	1,200	660.27	Swine	EV	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, 570-830-3077.

Application No. 5223502, Construction, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Address	762 Lancaster Avenue Bryn Mawr, PA 19010
Municipality	Shohola Township
County	Pike County
Responsible Official	Joshua P. Shoff 1 Aqua Way White Haven, PA 18661
Consulting Engineer	Michael McAloon, PE Suburban Consulting Engineers, Inc. 96 US Highway 206 Suite 101 Flanders, NJ 07836
Application Received	March 20, 2023
Description	Applicant proposes to construct CCT facilities pursuant to the Lead and Copper Rule.

Contact: Ryan Fox, Environmental Engineering Specialist, 570-826-2533.

Application No. 4522507, Amendment, Public Water Supply.

Applicant	CMBK Resort Holdings, LLC
Address	193 Resort Dr. Tannersville, PA 18372
Municipality	Pocono Township
County	Monroe County
Responsible Official	Timothy Bayer 193 Resort Dr. Tannersville, PA 18372
Consulting Engineer	Russel D. Scott IV, P.E. 112 N Courtland St. East Stroudsburg, PA 18301
Application Received	December 13, 2022
Description	General Corrosion Control Treatment Additions.

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

Contact: RA-EPSWSDW@pa.gov.

Application No. 6323501, Construction, Public Water Supply.

Applicant	Dean's Water Service, Inc.
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Address	950 Jessop Place Washington, PA 15301
Municipality	City of Washington
County	Washington County
Responsible Official	Laurie Dean 950 Jessop Place Washington, PA 15301
Consulting Engineer	Bankson Engineers Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received	March 16, 2023
Description	The applicant has submitted a permit application for a bulk water hauling system.

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.

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

Contact: Eric Supey, Environmental Program Manager.

Gumble Brothers, Primary Facility ID # **863390**, 320 Route 507, Bangor, PA 18013, Palmyra Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013 on behalf of Gumble Brothers, Inc., 320 Route 507, Tafton, PA 18464, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of gasoline from an underground storage tank. The Notice of Intent to Remediate was published in *Pocono Record* on March 26, 2023. Application received: April 20, 2023.

J. Reilly Pad 1, Primary Facility ID # **862758**, 427 Plonski Road, South Gibson, PA 18842, Gibson 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 Notice of Intent to Remediate. Soil was contaminated by a release of production fluid (brine). The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on April 12, 2023. Application received: April 21, 2023.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

1820 West Allegheny Avenue, Primary Facility ID # **817769**, 1820 West Allegheny Avenue, Philadelphia, PA 19132, City of Philadelphia, **Philadelphia County**. Marc Chartier, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Max Kent, New Courtland, 6970 Germantown Avenue, Philadelphia, PA 19119, submitted a Notice of Intent to Remediate. Soil at the site has been contaminated with PAHs, inorganics, and lead. The intended future use of the site is a residential senior living facility with associated paved parking and walkways. The Notice of Intent to Remediate was published in *The Metro Newspaper* on March 27, 2023. Application received: March 23, 2023.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

1820 & 1900 West Allegheny Avenue, Primary Facility ID # **865764**, 1820 & 1900 West Allegheny Avenue, Philadelphia, PA 19132, City of Philadelphia, **Philadelphia County**. Marc Chartier, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Max Kent, New Courtland, 6970 Germantown Avenue, Philadelphia, PA 19119, submitted a Notice of Intent to Remediate. Groundwater at the site has been contaminated with chlorinated solvents, inorganics, and lead. The intended future use of the site is a residential

senior living facility with associated paved parking and walkways. The Notice of Intent to Remediate was published in *The Metro Newspaper* on March 27, 2023. Application received: March 23, 2023.

Holiday Cleaners, Primary Facility ID # **865992**, 6515 Ridge Avenue, Philadelphia, PA 19128, City of Philadelphia, **Philadelphia County**. Jeffrey A. Smith, PG, Langan Engineering and Environmental Services, 1818 Market Street, Suite 3300, Philadelphia, PA 19103 on behalf of Shane McNeela, 6515 CC, LLC, P.O. Box 430, Bryn Mawr, PA 19010, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with VOCs and PCE in soil and groundwater. The proposed future use of the property will be both residential and nonresidential, including a multi-family apartment complex and commercial space. The Notice of Intent to Remediate was published in *The Inquirer Legals* on March 29, 2023. Application received: April 13, 2023.

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.

Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: John Oren, Waste Management Permits Section Chief, 717-705-4907.

101471. Clifford Hill Sanitation Service, Inc., 780 Noble Street, Kutztown, PA 19530, Maxatawny Township, **Berks County**. Permit renewal application for Clifford Hill Sanitation Service Solid Municipal Solid Waste Transfer Station. Application received: April 3, 2023. Deemed administratively complete: April 17, 2023.

Comments or questions concerning the application should be directed to John Oren, Waste Management Permits Section Chief, 717-705-4907, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. 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.

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.

101680. Waste Management Disposal Services of Pennsylvania, Inc., 100 Brandywine Blvd., Suite 300, Newtown, PA 18940, Falls Township, **Bucks County**. This major permit modification application is requesting approval for revisions to the Closure/Post-Closure Plan for the GROWS North Landfill facility, a closed municipal waste landfill, located in Falls Township, Bucks County. Application received: February 24, 2023. Deemed administratively complete: March 2, 2023.

Comments or questions concerning the application should be directed to 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 the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department 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 Chap-

ters 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.

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.

23-0123A: AeroAggregates LLC, 1500 Chester Pike, Eddystone, PA 19022, Eddystone Borough, **Delaware County**. Application received: January 18, 2023. The facility is an existing foamed glass aggregate production facility that operates three existing natural gas-fired glass foaming tunnel kilns and an existing natural gas-fired fluidized bed dryer with a bagfilter. The plan approval is a modification to revise the particulate matter emission limit for the fluidized bed dryer to 0.83 tpy using emission factors and to account for the increased flow from a second silo. As a result of potential emissions of NO_x and VOCs, the facility is not a Title V facility. The operation of the glass foaming tunnel kilns and the fluidized bed dryer will not exceed the following site-wide pollutant emission limits: 24.9 tpy nitrogen oxides (NO_x) and 24.9 tpy volatile organic compounds (VOCs). The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

OPERATING PERMITS

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

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

Contact: Matthew Williams, Facilities Permitting Chief, 814-332-6328.

62-00141, National Fuel Gas Supply Corporation/Roystone Compressor Station, 6363 Main Street, Williamsville, NY 14221-5855, Sheffield Township, **Warren County**. Application received: December 22, 2021. The Department intends to issue the renewal of the Title V Operating Permit to operate a natural gas compressor station. Sources of air emissions at the facility include ten natural gas-fired compressor engines, two natural gas-fired emergency generator engines, two triethylene glycol (TEG) dehydration units, a boiler, two pipeline heaters, a pig launcher, a thermal oxidizer, a gasoline storage tank,

two parts washers, and a drip fluid tank. The facility is a Title V facility because of its high potential to emit VOC and NO_x emissions, with PTEs of 72.58 TPY and 141.88 TPY, respectively. According to the annual emission report provided by the facility in 2022, the actual emissions at the facility are much lower, with 12.35 TPY, 11.65 TPY, and 18.65 TPY reported for CO, NO_x, and VOC, respectively. The engines at the facility are subject to 40 CFR 63 Subpart ZZZZ pertaining to National Emission Standards for Hazardous Air Pollutants (NESHAP) for stationary reciprocating internal combustion engines. As a major source of VOC and NO_x, the facility is subject to the presumptive NO_x and VOC requirements of the RACT III (25 Pa. Code §§ 129.111—129.115) promulgated on November 12, 2022 (52 Pa.B. 6960).

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.

06-05115, Energy Developments Morgantown, LLC, 608 South Washington Ave., Lansing, MI 48933, Caernarvon Township, **Berks County**. Application received: August 26, 2022. To issue a Title V Operating Permit for their landfill gas (LFG) treatment plant and LFG-to-energy plant. Actual emissions from the facility in 2021 were reported to be 32.9 tons CO, 11.7 tons NO_x, 1.4 tons PM₁₀/PM_{2.5}, 5.9 tons SO_x, 5.88 tons VOC, 3.5 tons of a single HAP (formaldehyde), and 4.3 tons of combined HAPs. The Title V Operating Permit will include emission limits, performance testing 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 63, Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, and 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

15-00104, Flowers Baking Company of Oxford, Inc., 700 Lincoln Street, Oxford, PA 19363, Oxford Borough, **Chester County**. Application received: June 21, 2022. Pursuant to 25 Pa. Code § 127.218(k), this action is for the renewal of a Plantwide Applicable Limit (PAL) for VOC. A PAL of 41.7 tons per year of volatile organic compounds (VOC) was established under Plan Approval No. 15-0104D. This Significant Modification renews the PAL of 41.7 tons per year of VOC. Primary sources of VOC are a fryer line (Source 101), a bread line (Source 108), and a bun line (Source 109). Other sources of VOC include heaters, boilers, printers, a parts washer, a fire pump, and an emergency generator. The new effective date and expiration date for the PAL have been revised accordingly under Condition # 032 of Section C of the Title V Operating Permit. The Title V Operating Permit will continue to contain monitoring and recordkeeping requirements that ensure the facility complies with the applicable requirements for a PAL, as outlined under 25 Pa. Code § 127.218.

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.

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.

08-00049, Alpaca Energy LLC, 106 Isabella St., Ste 600, Pittsburgh, PA 15212, Canton Township, **Bradford County**. Application received: January 25, 2023. To issue a State Only Operating Permit for the Alpaca Energy electric power generating facility located in Canton Township, Bradford County. The facility's main sources include three 9,708 bhp Rolls Royce Bergen 35:40-V16AG-2, lean burn, natural gas-fired, engine/generator sets, each equipped with an SCR/catox system, and miscellaneous storage tanks, combustion sources and fugitive emissions. The facility has potential emissions of 32.21 TPY of CO; 16.49 TPY of NO_x; 0.39 TPY of SO_x; 14.02 TPY of PM/PM₁₀; 10.68 TPY of VOCs; 5.14 TPY of HAPs; 2.53 TPY of formaldehyde; 6.61 TPY of ammonia; 91,142 TPY of GHGs. The three Rolls Royce Bergen engines are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60 and 63. 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 570-327-3636.

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

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

10-00021, INDSPEC Chemical Corporation, 133 Main Street, Petrolia, PA 16050, Petrolia Borough, **Butler County**. Application received: August 25, 2022. The Department intends to issue the renewal State Only Operating Permit for Indspec Chemical Corporation. The facility is a Natural Minor. The primary sources at the facility consist of ten pultrusion lines. The facility no longer manufactures resorcinol and has been closed since 2017. The remain sources consist of a gasoline storage tank, two fire pump engines, and three storage tanks which are being used to store stormwater. The potential emissions for this facility are estimated at 2.32 tpy NO_x and less than 1 tpy for all other criteria pollutants. 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.

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

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

OP22-000007, SEPTA-Woodland Trolley Shop, 49th and Woodland Avenue, Philadelphia, PA 19143, City of Philadelphia, **Philadelphia County**. Application received: February 3, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Natural Minor Operating Permit (NMOP) for an establishment primarily engaged in repair of newly refurbished trolley cars in the City of Philadelphia, Philadelphia County. The facility's stationary air pollution sources include the following: two (2) 7.913 Million British Thermal Units per hour (MMBtu/hr) boilers firing natural gas and No. 2 Oil; one (1) 0.42 MMBtu/hr boiler firing NG; one (1) Gasoline Dispensing Facility with 2,500-gallon storage tank for gasoline; one (1) Trolley Spray Paint Booth; one (1) Carpentry Shop Paint Booth; one (1) Spray Can Paint Booth; and one (1) 40-gallon Parts Washer/Degreaser. The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed NMOP must submit the protest, comments, or public hearing request within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the NMOP or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with "SEPTA-Woodland Trolley Shop OP22-000007" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Permit copies and other supporting information are available by contacting the Source Registration Unit at 215-685-7572 or emailing a request to the previously listed email address with the subject line.

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.

31-03037, Superior Huntingdon Composites, LLC, 1200 Susquehanna Avenue, Huntingdon, PA 16652, Huntingdon Borough, **Huntingdon County**. Application received: May 23, 2022. To issue a State-Only Operating Permit for the fiberglass manufacturing facility. This is for a renewal of the existing State-Only Operating Permit. The facility's potential emissions are 24.58 tpy of PM₁₀, 51.86 tpy of NO_x, 30.21 tpy of VOCs, 8.97 tpy HAPs, 36.20 tpy CO and 0.50 tpy of SO_x. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the permit includes conditions from 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

38-03003, Bayer Healthcare LLC, 400 W. Stoeber Avenue, Myerstown, PA 17067, Myerstown Borough, **Lebanon County**. Application received: December 29, 2022. To issue a State Only Operating Permit for the pharmaceutical manufacturing facility. The potential

emissions from the facility are estimated at 41.1 tpy of NO_x, 27.0 tpy of CO, 3.5 tpy of PM₁₀, 1.0 tpy of SO_x and 2.6 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

09-00105, Naceville Materials/Coopersburg, 483 Springfield Street, Coopersburg, PA 18036, Springfield Township, **Bucks County**. Application received: May 23, 2022. This action is for the renewal of Synthetic Minor Operating Permit. The facility operates a Hot Mix Asphalt Plant at this site. The proposed renewal of the Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO_x emissions to less than 22.5 tons per year. The renewed permit includes testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and Federal air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l

pH must always be greater than 6.0; less than 9.0.
Alkalinity must always be greater than acidity.

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

Contact: Bonnie Herbert, Clerical Assistant 3, 724-769-1100.

Mining Permit No. 56851303. NPDES No. PA0215350. RoxCOAL, Inc., P.O. Box 260, Friedens, PA 15541, Brothersvalley and Stonycreek Townships, **Somerset County.** To revise the permit and related NPDES permit to permanently treat mine water from sealed underground mine workings, adding two (2) new NPDES discharge points, and to change post-mining land use from pasture land to permanent treatment, affecting 5.5 proposed surface acres. Receiving stream(s): Reitz Creek and Unnamed Tributary to Reitz Creek, classified for the following use: CWF. Application received: January 24, 2023. Accepted: March 28, 2023.

Mining Permit No. 56061301. NPDES No. PA0235709. RoxCOAL, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Somerset Township, **Somerset County.** To revise the permit and related NPDES permit for a mine pool dewatering system to extract, treat, and discharge water from underground mine pool, with four (4) proposed water treatment setting ponds, affecting 10.12 proposed surface acres. Receiving stream(s): Tributary 45697 to Wells Creek, classified for the following use: CWF. Application received: February 1, 2023. Accepted: April 5, 2023.

Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Aleppo Townships, **Greene County.** To revise the permit and related NPDES permit to add a degas borehole, affecting 4.3 proposed surfaced acres. Application received: February 6, 2023. Accepted: April 7, 2023.

Mining Permit No. 32140701. NPDES No. PA 0001767. Pennzoil-Quaker State Company dba SOPUS Products, P.O. Box 4427, Houston, TX 77214-4427, Center and Black Lick Townships, **Indiana County.** To renew the permit and related NPDES permit. Application received: February 8, 2023. Accepted: April 12, 2023.

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

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

Mining Permit No. 10820122. NPDES No. 0604852. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Marion Township and Mercer Township, **Butler County.** Renewal of an existing bituminous surface mine and associated NPDES permit. Application received: April 20, 2023.

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

Contact: Cassie Stanton, Clerical Assistant.

Mining Permit No. 17020110. RAMM Coal, Inc., 1092 Spruce Hill Road, Rockton, PA 15856, Sandy Township, **Clearfield County.** Permit renewal for application for a bituminous surface coal mine permit, affecting 145.3 acres. The renewal is for reclamation only. Receiving stream(s): Unnamed Tributaries to LaBorde Branch and LaBorde Branch classified for the following use(s): CWF. Application received: April 18, 2023. Accepted: April 18, 2023.

Mining Permit No. 17820129. NPDES No. PA0610623. Kasubick Brothers Coal Company, 501 David St, Houtzdale, PA 16651, Woodward Township, **Clearfield County**. Application for a major revision to the permit boundary and modification of an NPDES permit to the existing bituminous coal surface mining permit affecting 161.8 acres. This revision and modification is to conduct a correction of 6 acres of the permit boundary to allow for construction of a passive water treatment system, Receiving stream(s): Unnamed tributary to Upper Morgan Run and North Branch of Upper Morgan Run to Morgan Run to Clearfield Creek to West Branch Susquehanna River classified for the following use(s): CWF. Application received: April 19, 2023. Accepted: April 19, 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, 814-797-0824.

Mining Permit No. 10070303. NPDES No. PA0258440. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Slippery Rock Township, **Butler County**. Renewal of an NPDES permit. Application received: April 20, 2023.

Mining Permit No. 3074SM13. NPDES No. PA0107433. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Slippery Rock Township, **Butler County**. Renewal of an NPDES permit. Application received: April 20, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 58232804. NPDES No. PA0226408. PA Quarried Bluestone Co., P.O. Box 4, South Gibson, PA 18842, New Milford Township, **Susquehanna County**. New NPDES Permit on a small noncoal quarry operation affecting 5.5 acres. Receiving stream: Meylort Creek, classified for the following uses: CWF and MF. Application received: April 24, 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.

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. PA0226335. Mining Permit No. 8275SM5. New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, East Cocalico Township, **Lancaster County**. New NPDES Permit to replace expired NPDES Permit No. PA0595381 affecting 150.0 acres. Receiving stream: Stony Run, classified for the following use: WWF. Application received: November 17, 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 Stony Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	Existing	Groundwater/Stormwater	1.50 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH 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)		1.50	2.60	
Oil and Grease (mg/L)			Monitor And Report	

ⁱThis Parameter is applicable at all times.

NPDES Permit No. PA0595209. Mining Permit No. 35910301. Scranton Materials, LLC, P.O. Box 127, Meshoppen, PA 18630, Ransom and Newsom Townships, **Lackawanna County**. Renewal and revision of NPDES Permit affecting 249.0 acres. Receiving stream: Keyser Creek, classified for the following uses: CWF, MF. Lackawanna River Watershed TMDL. Application received: December 8, 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 proposed effluent limits 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
Oil and Grease (mg/L)			Monitor And Report	
Flow (mgd)		0.05	0.24	

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH 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. PA0226220. Mining Permit No. 64120802. Robert Mackrell, 710 Justus Boulevard, Scott Township, PA 18411, Buckingham Township, **Wayne County**. New NPDES permit affecting 6.7 acres. Receiving stream: No discharge—UNT to Equinunk Creek, classified for the following uses: HQ, CWF, MF. Non-Discharging Best Management Practices will be in effect. Application received: September 24, 2021.

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)).

Central Office: Regional Permit Coordination Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: RA-EPREGIONALPERMIT@pa.gov.

E1583223-007. Pennsylvania Turnpike Commission, 700 S Eisenhower Blvd., Middletown, PA 17057, Caernarvon Township, Honey Brook Township, and West Nantmeal Township, **Berks County** and **Chester County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 1, 2023.

To construct and maintain a channel change along 249 feet of a tributary to Conestoga River (WWF, MF) and to replace a 16 foot, 12-inch RCP culvert so that an overhead bridge replacement project can be constructed. The project is located at Twin Valley Road and PA Turnpike near MP300.04. (Elverson, PA Quadrangle, Latitude 40.148691°; Longitude: -75.854469°) in Caernarvon Township in Berks County and Honey Brook Township & West Nantmeal Township in Chester County. Latitude: 40.148691°, Longitude: -75.854469°.

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.

E4104223-002. Pennsylvania Fish and Boat Commission, 595 East Rolling Ridge Drive, Bellefonte, PA 16823, Muncy Creek Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 6, 2023.

The project purpose is to provide improved boating and fishing access to the West Branch Susquehanna River in Muncy Creek Township, Lycoming County. An existing access ramp has become unusable and is currently blocked for safety reasons due to severe sedimentation within the West Branch Susquehanna River. Dredging of the area was evaluated but was considered unfeasible due to continuing dredging cost over time and permitting restrictions. A new access ramp site has been evaluated just downstream of the existing access ramp and the SR 405 bridge. The existing access ramp will be demolished by excavation. The existing parking area will continue to be used. The proposed launch ramp will be accessed by a proposed extended above grade stone access road under the SR 405 bridge. An above grade stone access road will be added on the existing lot. The access ramp into the river will be reinforced concrete. The approximate proposed area to be disturbed is 0.67 acre. All other distances, areas and utility locations are as shown on the attached plan sheet. Latitude: 41.21°, Longitude: -76.80°.

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

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

E5402223-003. NextCity Networks Pennsylvania, LLC, 700 Universe Blvd., Juno Beach, FL 33408, Schuylkill Haven Borough, Cressona Borough, and North Manheim Township, **Schuylkill County**. U.S. Army Corps of Engineers Philadelphia District. Application received: April 18, 2023.

To construct and maintain the following water obstructions and encroachments associated with the NextCity Networks Fiber Cable Install Project:

1) An aerial utility line crossing of 151-ft of the Schuylkill River (CWF, MF) consisting of a 3-in diameter fiber optic cable.

2) An underground utility line crossing of 6-ft of a UNT to the Schuylkill River (CWF, MF) consisting of a fiber optic cable within a 3-in diameter HDPE conduit. This utility line will be installed via directional drilling.

3) An aerial utility line crossing of 12-ft of Beaver Creek (CWF, MF) consisting of a 3-in diameter fiber optic cable.

4) An aerial utility line crossing of 22.5-ft of Panther Creek (CWF, MF) consisting of a 3-in diameter fiber optic cable.

5) An aerial utility line crossing of 10-ft of Panther Creek (CWF, MF) consisting of a 3-in diameter fiber optic cable.

6) An aerial utility line crossing of 74.5-ft of the West Branch Schuylkill River (CWF, MF) consisting of a 3-in diameter fiber optic cable.

7) An aerial utility line crossing of 107.5-ft of the Schuylkill River (CWF, MF) consisting of a 3-in diameter fiber optic cable.

8) An aerial utility line crossing of 8-ft of a UNT to the Schuylkill River (CWF, MF) consisting of a 3-in diameter fiber optic cable.

9) An aerial utility line crossing of 27-ft of a UNT to the Schuylkill River (CWF, MF) consisting of a 3-in diameter fiber optic cable.

10) An aerial utility line crossing of 111.5-ft of the Schuylkill River (CWF, MF) consisting of a 3-in diameter fiber optic cable.

The crossings associated with this project are located near Front Street, Rudy Street, South Sillyman Street, South River Street, SR 61, and Dock Street (Friedensburg and Pottsville, PA Quadrangle Latitude: 40° 37' 45.90"; Longitude: -76° 10' 45.69") in Schuylkill Haven Borough, Borough of Cressona, North Manheim Township, Schuylkill County. Latitude: 40° 37' 45.90", Longitude: -76° 10' 45.69".

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

Contact: 717-705-4802.

E2803222-001. Hamilton Township, 1270 Crottles-town Road, Chambersburg, PA 17201, Hamilton Township, **Franklin County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 1, 2022.

To 1) remove 369 linear feet of an existing 24-inch reinforced concrete pipe (RCP) carrying an Unnamed Tributary (UNT) to Conococheague Creek (WWF, MF); 2) construct and maintain a 284 long, 5-foot wide, 6-inch deep low flow stream channel, 20-foot wide vegetated benches with deciduous tree plantings on each side of the channel, and a 60-foot long R-6 rock riprap apron; 3) replace and maintain 124 linear feet of a 24-inch RCP, and 4) install and maintain a 24-inch RCP winged headwall, resulting in 369 linear feet of permanent impacts to the UNT to Conococheague Creek (WWF, MF), all for the purpose of improving the efficiency of the stream to provide water quality benefits in order to meet the Township's MS4 permit requirements. The project is located between Hoke Drive and Sunset Avenue in Hamilton Township, Franklin County (Latitude: 39.941073, Longitude: -77.674945). No wetlands will be impacted by this project.

E0603223-009. Muhlenberg Township, 210 George Street, Reading, PA 19605, Muhlenberg Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 29, 2023.

To 1) repair and maintain a 92-foot long, 28-foot wide, single-span, block stone arch bridge and wingwalls, resulting in 98 linear feet of permanent stream impact to Laurel Run (WWF, MF), 154 linear feet of temporary stream impact to Laurel Run (WWF, MF), 56,210 square feet of temporary floodway impact and 8,740 square feet of permanent floodway impact; 2) construct and maintain a 12-foot wide, 88-foot long permanent access road consisting of 4-inch compacted 2A aggregate over compacted subgrade, with water bars, resulting in 4,380 square feet of permanent floodway, all for the purpose of completing structural repairs in order to protect the road and motorists from future impacts. The project is located along River Road in Muhlenberg Township, Berks County, PA (40.379936, -75.949879). No wetlands will be impacted by this project.

E0603223-011. Mid-Atlantic Interstate Transmission, 2800 Pottsville Pike, P.O. Box 16001, Reading, PA

19612, Robeson Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: April 7, 2023.

To install and maintain a new aerial all-dielectric self-supporting (ADSS) fiber optic cable line across the Schuylkill River (WWF, MF) and its floodway, on existing utility poles within an existing utility right-of-way, resulting in 285 linear feet of permanent stream impact and 95 linear feet of floodway impact to the Schuylkill River (WWF, MF) and associated floodway, all for the purpose of increasing security and communications and enhancing overall power grid reliability for surrounding municipalities. The project is located along River Road in Bern and Muhlenberg Township, Berks County (Latitude: 40.388996, Longitude: -75.962468). No wetlands will be impacted by this project.

E0603223-010. Mid-Atlantic Interstate Transmission, 2800 Pottsville Pike, P.O. Box 16001, Reading, PA 19612, Exeter Township and Robeson Township, **Berks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 31, 2023.

To install and maintain a new aerial all-dielectric self-supporting (ADSS) fiber optic cable line across the Schuylkill River (WWF, MF) and its floodway, on existing utility poles within an existing utility right-of-way, resulting in 209 linear feet (409 square feet) of permanent stream impact and 109 linear feet (218 square feet) of floodway impact to the Schuylkill River (WWF, MF) and associated floodway, all for the purpose of increasing security and communications and enhancing overall power grid reliability for surrounding municipalities. The project is located along Schuylkill River Road in Exeter and Robeson Townships, Berks County (40.276430 -75.842109). No wetlands will be impacted by this project.

E6703223-001. New Freedom Borough, 49 East High Street, New Freedom, PA 17349, New Freedom Borough, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 10, 2023.

The applicant proposes to remove sediment and a gravel bar from a portion of an unnamed tributary (UNT) to Old Mill Creek (CWF, MF). The project will restore 95-feet of positive drainage to the UNT. Permanent impacts to the UNT will be as follows: 95.0-feet in length (upstream to downstream) by 22.0-feet in width. The project will also include 900-square feet of permanent wetland impacts. The project is located along Lincoln Way in New Freedom Township, York County (Latitude: (39.7407), Longitude: (-76.6969)).

E6703223-002. TCNE Route 74 Associates LLC, 300 Conshohocken State Road, Suite 250, West Conshohocken, PA 19428-3801, Carroll Township, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 22, 2023.

The applicant proposes to 1) place and maintain a 55-foot long 24.0-inch HDPE culvert, associated infiltration trench level spreader, and fill in 0.25 acre of Exceptional Value emergent wetland in the watershed of an Unnamed Tributary to Dogwood Run (CWF, MF), and 2) place and maintain fill in 0.5 acre of floodway of an unnamed tributary to Dogwood Run (CWF, MF) for the purpose of constructing an industrial warehouse and supporting infrastructure. The project is located west of the intersection of SR 74 and SR 15 in Carroll Township, York County (Latitude: 40.1209; Longitude: -77.0363). To compensate for wetland impacts, the applicant proposes to purchase 0.32 acre of wetland credits from the Codorus

Creek Mitigation Bank (PADEP Permit # MB990367-001) in York County Pennsylvania.

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

Contact: Dana Drake, Program Manager.

E0205222-024. Scott Township, 301 Lindsay Road, Pittsburgh, PA 15106, Scott Township, **Allegheny County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: August 3, 2022.

The applicant proposes to: 1. Construct and maintain streambank stabilization along approximately 495 linear feet (LF) of an unnamed tributary (UNT) to Scrubgrass Run (WWF), and associated erosion and sediment control measures. The streambank stabilization will consist of a. A 160 LF long floodplain bench with variable width, up to 20 LF wide, at the downstream end of the project and above a culvert pipe beneath Scrubgrass Road; and b. Installation of slope stabilization fabric in the floodway for 495 LF long by 35 LF wide on both sides of the intermittent UNT (70 LF width total); 2. Install and maintain a riparian forest buffer for 495 LF upstream from the aforementioned culvert pipe and 35 LF wide on both sides of the intermittent UNT (70 LF width total); 3. Construct and maintain eight (8) rock step pools in the upstream project reach; and 4. Install and maintain temporary erosion and sediment control materials along 500 LF of watercourse and floodway. For the purpose of reducing sediment loading to satisfy the municipality's Municipal Separate Storm Sewer (MS4) requirements of their National Pollutant Discharge Elimination System (NPDES) Permit (PAG136138). Cumulatively, the project will permanently impact approximately 495 LF of watercourse and 34,650 SF of the floodway and will temporarily impact approximately 500 LF of watercourse and 2,500 SF of the floodway. The project site is located off of Scrubgrass Road approximately 3,811 feet east of its intersection with Main Street (Pittsburgh, PA West USGS topographic quadrangle map; Latitude: 40° 22' 58"; Longitude: -80° 04' 40"; Sub-basin 20F).

E5605222-004. Municipal Authority of The Borough of Somerset, 347 West Union Street, Somerset, PA 15501, Somerset Borough, **Somerset County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: October 31, 2022.

The applicant proposes to: Construct and maintain a rock drain through 0.032 acre of Wetland 2 (PEM, W-002); Construct and maintain a 36' x 10' rock drain in an unnamed tributary (UNT) to Shaffer Run (HQ-CWF, UNT-001); Construct and maintain an 18' x 10' rock drain within another UNT to Shaffer Run (HQ-CWF, UNT-003); Remove an existing ford crossing from Shaffer Run (HQ-CWF), which will disturb approximately 170 square feet of Shaffer Run and its floodplain; for the purpose of providing a new access road to Shaffer Run Well 2, which is currently inaccessible during periods of high flow or flooding. The existing ford crossing will be removed. The project will cumulatively and permanently impact approximately 85 LF of watercourse, a de minimus amount (0.032 acre) of wetland, and 0.006 acre of floodway, and will temporarily impact 0.004 acre of watercourse and 0.004 acre of floodway. The project site is located off of Shaffer Run Road (T-397), approximately 1.8 miles from its intersection with W Bakersville Edie Road (SR 4001) (Bakersville, PA USGS topographic quadrangle; N: 40° 4' 22.1061"; W: -79° 12' 56.1531"; Sub-basin 19E).

ENVIRONMENTAL ASSESSMENTS

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

Contact: Kelsey Canary, Mining Engineer Manager.

EA1709-1-23-001. PA DEP Bureau of Abandoned Mine Reclamation, 286 Industrial Park Road, Ebensburg, PA 15931, Sandy Township, **Clearfield County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: April 21, 2023.

The Dubois abandoned mine land project is a multiphase project that will address a flooded underground mine that is discharging into an Unnamed Tributary to Pentz Run (CWF). Exploratory drilling will be necessary to better understand the abandoned underground mine pool and select a desired elevation for the mine pool. A drainage system and riprap channel will be constructed to control the discharge and lower the mine pool to a safer elevation and eliminate the risk to public health and safety. The wetland is being created by the acid mine drainage discharge and due to the location of the wetland, impacts could not be avoided. This project will permanently impact 0.2 acre of wetland. Available water quality data indicates that the wetland meets elevated total metal levels (pH < 5.0, Aluminum > 0.6mg/l, Iron > 7.0 mg/l, and Manganese > 4.0 mg/l) required for a Waiver 16—Restoration Activities. Latitude: 41.11111°, Longitude: -78.775833°.

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

Contact: 717-705-4802.

EA2103223-001. Silver Spring Township, 8 Flowers Drive, Mechanicsburg, PA 17050, Silver Spring Township, **Cumberland County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 28, 2023.

To 1) Regrade, stabilize, and maintain the banks and floodway of Hogestown Run (CWF, MF), resulting in 299 linear feet (5,681 square feet) of permanent impact to Hogestown Run (CWF, MF) and 1.77 acres of permanent impact to an emergent exceptional value wetland; 2) Install and maintain 18 log framed stone deflectors, resulting in 1,332 linear feet (21,312 square feet) of permanent impact to Hogestown Run (CWF, MF); 3) Install and maintain 11 log framed cross vanes, resulting in 385 linear feet (6,160 square feet) of permanent impact to Hogestown Run (CWF, MF); 4) Plant and maintain a 35-foot wide riparian buffer along each side of Hogestown Run (CWF, MF), all for the purposes of improving a section of Hogestown Run (CWF, MF) by utilizing the installation, operation, and maintenance of fish habitat enhancement structures, bank stabilization, and the introduction of a riparian buffer. The project is located along North Locust Point Road in Silver Spring Township, Cumberland County (40.221649, -77.066048).

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (DEP) and is currently under review. Individuals wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of

Storage Tanks, P.O. Box 8762, Harrisburg, PA 17105-8762, within 30-days from the date of this publication. Comments may also be submitted via email to tanks@pa.gov. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform DEP of the exact basis of the comment and the relevant facts upon which it based.

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).

Application(s) Received for Storage Tank Site-Specific Installation Permits Under the Authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and Under 25 Pa. Code Chapter 245, Subchapter C.

SSIP Application No. **23001**
 Applicant Name **Covanta Delaware Valley, LP**
 Address 10 Highland Avenue
 City, State, Zip Chester, PA 19013
 County **Delaware County**
 Municipality City of Chester
 Tank Type One AST storing aqueous ammonia
 Tank Capacity 35,000 gallons
 Application Received March 24, 2023

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>
PA0088064	CAFO Individual NPDES Permit	Issued	Country View Family Farms LLC 1301 Fulling Mill Road Middletown, PA 17057-5975	Jackson Township Perry County	SCRO
PAD150241	Chapter 102 Individual NPDES Permit	Issued	Wallace Tract Partners LLC 55 Country Club Lane Downingtown, PA 19335	Wallace Township Chester County	SERO
PAD150272	Chapter 102 Individual NPDES Permit	Issued	DP Whiteland, LLC 967 Swedesford Road Suite 400 Exton, PA 19341	East Whiteland Township Chester County	SERO
PAD150273	Chapter 102 Individual NPDES Permit	Issued	PA DCNR 400 Market Street # 400 P.O. Box 8451 Harrisburg, PA 17101-2301	Upper Uwchlan Township Chester County	SERO
PAD390170	Chapter 102 Individual NPDES Permit	Issued	Westgate Mall Owner LLC 1 Gateway Center Suite 2400 Newark, NJ 07102-5310	Bethlehem City Lehigh County	NERO
PAD390213	Chapter 102 Individual NPDES Permit	Issued	178 W Main LP 1248 Hamilton Street Allentown, PA 18102-4338	Macungie Borough Lehigh County	NERO
PAD390251	Chapter 102 Individual NPDES Permit	Issued	Ciocca Properties LP 4611 Hamilton Boulevard Allentown, PA 18103	Lower Macungie Township Lehigh County	NERO
PAD390252	Chapter 102 Individual NPDES Permit	Issued	Real Deal Management Inc. 1 International Boulevard Suite 410 Mahwah, NJ 07495-0025	Upper Macungie Township Lehigh County	NERO
PAD390260	Chapter 102 Individual NPDES Permit	Issued	Dr Horton Inc. 2060 Detwiler Road Harleysville, PA 19438-2934	Upper Macungie Township Lehigh County	NERO
PAD410023	Chapter 102 Individual NPDES Permit	Issued	Schick Joel D 600 Tallman Hollow Road Montoursville, PA 17754-7768	Upper Fairfield Township Lycoming County	NCRO
PAD500019	Chapter 102 Individual NPDES Permit	Issued	Weaver Brent 1828 Kenbrook Road Lebanon, PA 17046-1607	Saville Township Perry 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>
PAD640013	Chapter 102 Individual NPDES Permit	Issued	Dzwieleski Francis J and Megan A 199 Woodland VW. Beach Lake, PA 18405-8420	Berlin Township Wayne County	NERO
1513816	Joint DEP/PFBC Pesticides Permit	Issued	Jenners Pond 2000 Greenbriar Lane West Grove, PA 19390-9485	Penn Township Chester County	SERO
1516841	Joint DEP/PFBC Pesticides Permit	Issued	Law Jack 4 W Lancaster Avenue Downingtown, PA 19335	Downingtown Borough Chester County	SERO
2123802	Joint DEP/PFBC Pesticides Permit	Issued	Campbell Michael 1112 E Lisburn Road Mechanicsburg, PA 17055-5931	Upper Allen Township Cumberland County	SCRO
2223804	Joint DEP/PFBC Pesticides Permit	Issued	Phillips Laura 735 Phillips Road Millersburg, PA 17061-9047	Upper Paxton Township Dauphin County	SCRO
2823802	Joint DEP/PFBC Pesticides Permit	Issued	Crider Daryl 4272 Woodcove Road Greencastle, PA 17225-9757	Peters Township Franklin County	SCRO
3623804	Joint DEP/PFBC Pesticides Permit	Issued	Bent Creek Country Club 2345 Quarry Road Lititz, PA 17543-8349	Manheim Township Lancaster County	SCRO
3623805	Joint DEP/PFBC Pesticides Permit	Issued	Kreider Violet 241 Root Road Manheim, PA 17545-8813	East Hempfield Township Lancaster County	SCRO
1587416	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Longwood Gardens Inc. P.O. Box 501 Route 1 Kennett Square, PA 19348-0501	East Marlborough Township Chester County	SERO
4506408	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Franconia Mennonite Camp Association Inc. 5389 Route 447 Canadensis, PA 18325-9795	Barrett Township Monroe County	NERO
4509401	Land Application and Reuse of Sewage Individual WQM Permit	Issued	The Kinsley Family Ltd Group Partnership Inc. P.O. Box 760 Brodheads ville, PA 18322-0760	Chestnuthill Township Monroe County	NERO
5984401	Major Sewage Treatment Facility Individual WQM Permit	Issued	Wellsboro Borough Municipal Authority Tioga County 14 Crafton Street Wellsboro, PA 16901-1508	Wellsboro Borough Tioga County	NCRO
2817201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Issued	Herbrucks of PA LLC 6425 West Grand River Avenue Saranac, MI 48881-9669	Montgomery Township Franklin County	SCRO
PA0009318	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Prysmian Cables & System USA LLC 409 Reighard Avenue Williamsport, PA 17701-4171	Williamsport City Lycoming County	NCRO
PA0083771	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Turkey Hill LP 2601 River Road Conestoga, PA 17516-9327	Manor Township Lancaster County	SCRO
PA0232785	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Cargill Inc. 70 Agway Lane Winfield, PA 17889-9131	Union Township Union County	NCRO

<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>
PA0261581	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Red Lion Borough Municipal Authority York County P.O. Box 190 11 East Broadway Red Lion, PA 17356-0190	Windsor Township York County	SCRO
PA0033553	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Gehmans Mennonite School 650 Gehman School Road Denver, PA 17517-8921	Brecknock Township Lancaster County	SCRO
PA0058017	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Harrow Station LLC 265 Frogtown Road Kintnersville, PA 18930-9644	Nockamixon Township Bucks County	SERO
PA0087548	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Artillery Ridge Campground LLC P.O. Box 544 Glenmoore, PA 19343-0544	Cumberland Township Adams County	SCRO
PA0216666	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Iron Cumberland LLC P.O. Box 1020 855 Kirby Road Waynesburg, PA 15370-3020	Whiteley Township Greene County	SWRO
0410404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Family Guidance Inc. 227 Lance Road Clinton, PA 15026-1567	Hanover Township Beaver County	SWRO
NOEXSE182	No Exposure Certification	Issued	Menarini Silicon Biosystems Inc. 3401 Masons Mill Road Suite 100 Huntingdon Valley, PA 19006	Upper Moreland Township Montgomery County	SERO
PAG036237	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ritchey Metals Co. Inc. 30 Georgetown Road Canonsburg, PA 15317-5713	Cecil Township Washington County	SWRO
PAG036337	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Waste Management of PA Inc. 310 Leger Road North Huntingdon, PA 15642-1148	North Huntingdon Township Westmoreland County	SWRO
PAG036338	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Amcel Center 1558 Mt Pleasant Connellsville Road Mt Pleasant, PA 15666	East Huntingdon Township Westmoreland County	SWRO
PAG036351	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	UPS Inc. 2450 Rathmell Road Obetz, OH 43207-4582	South Strabane Township Washington County	SWRO
PAG123849	PAG-12 NPDES General Permit for CAFOs	Issued	Herbrucks of PA LLC 6425 West Grand River Avenue Saranac, MI 48881-9669	Montgomery Township Franklin 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>
0198404	Sewage Treatment Facilities Individual WQM Permit	Issued	Artillery Ridge Campground LLC P.O. Box 544 Glenmoore, PA 19343-0544	Cumberland Township Adams County	SCRO
PA0063274	Single Residence STP Individual NPDES Permit	Issued	Cetta Marie 1034 Lower Rhiney Creek Road Hallstead, PA 18822-9016	Liberty Township Susquehanna County	NERO
PA0245461	Single Residence STP Individual NPDES Permit	Issued	Bradley Curley 2330 Schaffer Road Pottstown, PA 19464-1109	New Hanover Township Montgomery County	SERO
PA0291242	Single Residence STP Individual NPDES Permit	Issued	Swiderski Tracy 6 Madaket Way Sandwich, MA 02563-2676	Girard Township Erie County	NWRO
PA0292851	Single Residence STP Individual NPDES Permit	Issued	Weaver Scott D 2099 Rutledge Road Transfer, PA 16154	Delaware Township Mercer County	NWRO
PA0292877	Single Residence STP Individual NPDES Permit	Issued	Hayden George A 1447 Wyman Road Sligo, PA 16255	Piney Township Clarion County	NWRO
1623401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hayden George A 1447 Wyman Road Sligo, PA 16255	Piney Township Clarion County	NWRO
2522433	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Swiderski Tracy 6 Madaket Way Sandwich, MA 02563-2676	Girard Township Erie County	NWRO
4323402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Weaver Scott D 2099 Rutledge Road Transfer, PA 16154	Delaware Township Mercer County	NWRO
4623401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bradley Curley 2330 Schaffer Road Pottstown, PA 19464-1109	New Hanover Township Montgomery County	SERO
PA0087564	Small Flow Treatment Facility Individual NPDES Permit	Issued	Roundtop Self Storage & Rentals LLC 3574 Taneytown Road Gettysburg, PA 17325-8635	Cumberland Township Adams County	SCRO
PA0291731	Small Flow Treatment Facility Individual NPDES Permit	Issued	Scott Allison 10575 Allentown Boulevard Annville, PA 17003-8417	East Hanover Township Lebanon County	SCRO
3822401	Small Flow Treatment Facility Individual WQM Permit	Issued	Scott Allison 10575 Allentown Boulevard Annville, PA 17003-8417	East Hanover Township Lebanon County	SCRO
WQG02362301	WQG-02 WQM General Permit	Issued	Quarryville Borough Authority Lancaster County 300 Saint Catherine Street Quarryville, PA 17566	Quarryville Borough Lancaster County	SCRO
WQG02372201	WQG-02 WQM General Permit	Issued	Wampum Borough Lawrence County P.O. Box 65 Wampum, PA 16157-0065	Wampum Borough Lawrence County	NWRO

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>
PAC540138	PAG-02 General Permit	Issued	North Schuylkill School District Mr. Bob Amos 15 Academy Lane Ashland, PA 17921	Butler Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC090599	PAG-02 General Permit	Issued	The Beans Family Partnership & Cross Keys Family Partnership, LP 3960 Airport Boulevard Doylestown, PA 18902	Plumstead Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090578	PAG-02 General Permit	Issued	Triumph Construction Group, LLC 2324 Second Street Pike Suite 20 Newtown, PA 18940	Upper Makefield Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090584	PAG-02 General Permit	Issued	Toner Homes 9 Quinn Circle Holland, PA 18966	Northampton Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090139	PAG-02 General Permit	Issued	Winchester Acquisitions, LP 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Doylestown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO pa.gov
PAC090589	PAG-02 General Permit	Issued	Paletown Owner, LLC d/b/a/Trinity Realty 355 East Street Road Feasterville, PA 19053-7711	Richland 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
PAC460682	PAG-02 General Permit	Issued	Pottstown Equities LLC 14000 Horizon Way Suite 100 Mount Laurel, NJ 08054	Pottstown Borough Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO @pa.gov
PAC250178	PAG-02 General Permit	Issued	Bauer General Contractors Inc. 5301 Iroquois Avenue Erie, PA 16511	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

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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>
PA030001C	PAG-02 General Permit	Issued	East Franklin Township 106 Cherry Orchard Avenue Kittanning, PA 16201	East Franklin Township Armstrong County	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425
PAC360543A-1	PAG-02 General Permit	Issued	Lighthouse Assembly of God of New Holland 105 Earland Drive New Holland, PA 17557	Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360367	PAG-02 General Permit	Issued	Houston Run Properties 1324 Main Street East Earl, PA 17519	Salisbury Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360258A-1	PAG-02 General Permit	Issued	Marlin Hurst 718 North Shirk Road New Holland, PA 17557	West Cocalico Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC670610	PAG-02 General Permit	Issued	Zenith Construction Inc. 1730 Edgewood Hill Circle Suite 101 Hagerstown, MD 21740	Jackson Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670530	PAG-02 General Permit	Issued	MRPI Willow Springs LLC 509 South Exeter Street Suite 216 Baltimore, MD 21202	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 21202 717-840-7430
PAC380273	PAG-02 General Permit	Issued	Lebanon Valley Brethren Home, Inc. 1200 Grubb Road Palmyra, PA 17078	North Londonderry Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380243	PAG-02 General Permit	Issued	TLS Holdings LLC 730 Flintstone Road Ephrata, PA 17522	Mill Creek Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC380245A-1	PAG-02 General Permit	Issued	Eastern Lebanon County School District 180 Elco Drive Myerstown, PA 17067	Jackson Township and Mill Creek Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC380274	PAG-02 General Permit	Issued	Homes for Life, LLC 1653 Lititz Pike # 433 Lancaster, PA 17601	West Lebanon Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275
PAC010194	PAG-02 General Permit	Issued	Brookview Solar I, LLC 700 Universe Avenue Juno Beach, FL 32408	Mount Joy Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC500053	PAG-02 General Permit	Issued	Eric Beaver 1639 Church Road Allentown, PA 18104-9342	Centre Township and Carroll Township Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717-582-8988
PAC220010A-2	PAG-02 General Permit	Issued	TIBI LLC 200 East Hershey Park Drive Hershey, PA 17033	Derry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220362	PAG-02 General Permit	Issued	Triple Crown Corporation 5351 Jaycee Ave Harrisburg, PA 17112	Lower Swatara Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220376	PAG-02 General Permit	Issued	Progress Avenue Limited Partnership 5609 Pinehurst Way Mechanicsburg, PA 17050	Susquehanna Township Dauphin County	Dauphin County Conservation District 1415 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC220375	PAG-02 General Permit	Issued	George Cvijic 333 West Caracas Avenue Hershey, PA 17033	Derry Township Dauphin County	Dauphin County Conservation District 1415 Peters Mountain Road Dauphin, PA 17018 717-921-8100
PAC140156	PAG-02 General Permit	Issued	State College Area Food Bank 1321 S. Atherton Street State College, PA 16801	College Township Centre County	Centre County Conservation District 414 Holmes Ave Ste. 4 Bellefonte, PA 16823 814-355-6817
PAC600097	PAG-02 General Permit	Issued	Lewisburg Borough St. Louis and Market Streets Lewisburg, PA 17837	Lewisburg Borough Union County	Union County Conservation District 155 N 15th St. Lewisburg, PA 17837 570 524-3860
PAC600101	PAG-02 General Permit	Issued	Mark Bender 1735 Church Road Mifflinburg, PA 17844	West Buffalo Township Union County	Union County Conservation District 155 N 15th St. Lewisburg, PA 17837 570 524-3860

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC600102	PAG-02 General Permit	Issued	Mifflingburg Original Italian Pizza (Vito Mazzamuto) 686 Beagle Club Road Lewisburg, PA 17837	East Buffalo 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>
Todd Rabert Poultry Operation 380 South Locust Point Road Mechanicsburg, PA 17055	Cumberland County	570	262.57	Poultry	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).

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.

Operation Permit No. 6521508, Major Amendment, Public Water Supply.

Applicant	Highridge Water Authority
Address	17 Maple Avenue Blairsville, PA 15717
Municipality	Seward Borough
County	Westmoreland County
Consulting Engineer	Gibson-Thomas Engineering Company 1004 Ligonier Street Latrobe, PA 15650
Application Received	March 3, 2023
Permit Issued	March 21, 2023
Description	Replacement of the Seward Pump Station.

Construction Permit No. 0223503MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania American Water Company
Address	852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Union Township
County	Washington County
Consulting Engineer	Pennsylvania American Water Company 855 Wesley Drive Mechanicsburg, PA 17055
Application Received	March 7, 2023
Permit Issued	April 18, 2023
Description	Rehabilitation of Aldrich Purification Units 5 and 6.

Operation Permit No. 0221523MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania American Water Company
Address	852 Wesley Drive Mechanicsburg, PA 17055
Municipality	City of Pittsburgh Mechanicsburg
County	Allegheny County United States
Consulting Engineer	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
Application Received	March 28, 2023
Permit Issued	April 17, 2023

Description

Three dosing points for cationic polymer, three replacement feed pumps for sodium permanganate, and the replacement of the sodium permanganate day tank at the Hays Mine Water Treatment Plant.

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 7220049. PWSID No. **7220049**. **Capital Region Water**, 3003 North Front Street, Harrisburg, PA 17110, City of Harrisburg, Susquehanna Township, **Dauphin County**. Application received: March 31, 2023. Permit Issued: April 18, 2023. Comprehensive operation permit for the replacement of the flocculator motors, paddle mixers assemblies and gearing for Flocculator Basin Nos. 301—304.

Construction Permit 2222521. PWSID No. **7220036**. **Pennsylvania American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055, Steelton Borough, **Dauphin County**. Application received: October 20, 2022. Permit Issued: April 18, 2023. Steelton Borough WTP: new filter backwash water tank, filter improvements including filter-to-waste, improvements to the existing coagulant storage and feed system, a new sodium hypochlorite (NaOCl) storage/feed system, demolition of the existing gas chlorine system, and bulk chemical unloading improvements with spill containment.

Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.

NCWSA Construction Permit 7500826. PWSID No. **7500826**. **TTCB Venture, LLC**, 200 Old Trail Road, Shermans Dale, PA 17090, Carroll Township, **Perry County**. Application received: December 31, 2022. Permit Issued: April 19, 2023. Proposed construction for well pump replacement and well casing repair.

Emergency Permit 4423501 E. PWSID No. **4440011**. **McVeytown Borough Authority**, P.O. Box 321, 10 North Queen Street, McVeytown, PA 17501, McVeytown Borough, **Mifflin County**. Application received: April 18, 2023. Permit Issued: April 20, 2023. Reissuance providing an extension for the limited-duration emergency operation permit.

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

Contact: RA-EPSWSDW@pa.gov.

Operation Permit 6523506. PWSID No. 5650080. Ligonier Township Municipal Authority, 1 Municipal Park Drive, Ligonier, PA 15501, Ligonier Township and Fairfield Township, **Westmoreland County**. Application received: April 12, 2023. Permit Issued: April 17, 2023. Issuance of Operation Permit No. 6523506 to Ligonier Township Municipal Authority for the operation of approximately 6,240' of 6" waterline along Ruth Lane in Ligonier and Fairfield Townships, and 4,825' of 8" waterline in Ligonier Township.

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

Operation Permit 0221508. PWSID No. 5020039. **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, Robinson Township, **Washington County**. Application received: April 20, 2023. Permit Issued: April 20, 2023. Approximately 7,000 linear feet of 12-inch diameter waterline along Old Steubenville Pike, Ridge Road, and Solar Drive (Ridge Road Waterline Extension) and chlorine chemical feed building along Solar Drive.

WATER ALLOCATIONS

Actions Taken on Applications Received Under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) Relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

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

Contact: Nicole Mechtly, Clerical Supervisor, 570-327-3490.

WA 47-55C, Water Allocations. **Danville Municipal Authority**, 463 Mill Street, Danville, PA 17821, Danville Borough, **Montour County**. This permit grants Danville Municipal Authority the right to withdraw a maximum of 4,000,000 gallons per day (gpd) from the Susquehanna River, when available, from an intake located in Danville Borough, Montour County. Application received: October 28, 2022. Issued: April 18, 2023.

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

Contact: RA-EPSWSDW@pa.gov.

WA2-250C, Water Allocations. **Borough of Brackenridge**, 1000 Brackenridge Avenue, Brackenridge, PA 15014, Brackenridge Borough, **Allegheny County**. Issuance of water allocation permit, granting the Borough of Brackenridge the right to withdraw, for public water supply purposes, 2,100,000 gallons of water per day, peak day, from the Allegheny River. Application received: June 7, 2019. Permit issued: April 20, 2023

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Contact: Thomas M. Randis, Clean Water Program Manager, (570) 327-0530.

Plan Location:

Municipality	Address	County
Renovo Borough	128 Fifth Street Renovo, PA 17764	Clinton County

Plan Description:

Act 537 Sewage Facilities Plan Special Study—Renovo Wastewater Treatment Plant Upgrades, APS # 1085822. Denied due to being administratively incomplete. The plan proposed the upgrade of the wastewater treatment plant.

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.

EQT ARO LLC Salt Run HC Pad A Ext, Primary Facility ID # **864994**, 2003 Leonard Road, Williamsport, PA 17701, Cascade Township, **Lycoming County**. Penn Environmental & Remediation Inc., 13180 Route 6, Mansfield, PA 13180, on behalf of EQT Corporation, 2462 Lycoming Creek Road, Williamsport, PA 17701, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

North Shore Railroad Company, Primary Facility ID # **851933**, 206 N Thomas Street, Bellefonte, PA 16823, Bellefonte Borough, **Centre County**. McKee Environ-

mental, Inc., 86 Quartz Drive, Bellefonte, PA 16823, on behalf of North Shore Railroad Company, 356 Priestly Avenue, Northumberland, PA 17857, submitted a Final Report concerning remediation of soil and groundwater contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the 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.

J. Reilly Pad 1, Primary Facility ID # **862758**, 427 Plonski Road, South Gibson, PA 18842, Gibson 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 production fluid (brine). The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

80 East Oregon Avenue, Primary Facility ID # **841286**, 80 East Oregon Avenue, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Marc Chartier, PG, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19150, on behalf of Suresh Reddy Anam, Anam Properties, LLC, 2500 West Cheltenham Avenue, Philadelphia, PA 19150, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with lead and benzene. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

Superior Scaffold Service, Inc., Primary Facility ID # **839662**, 520 East Luzerne Street, Philadelphia, PA 19124, PA 19124, City of Philadelphia, **Philadelphia County**. Christopher M. Kern, PG, Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Guy L. Bianchini, Superior Scaffold Services, Inc., 600 Center Avenue, Bensalem, PA 19020, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with petroleum hydrocarbons. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Phoenix French Creek Manor, Primary Facility ID # **804650**, 121 Bridge Street, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Greg Lingo, Rockwell French Creek TH LP, 126 East State Street, Media, PA 19063, submitted a Final Report concerning remediation of soil and groundwater contaminated with other organics. The Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

Thompson Property, Primary Facility ID # **865049**, 140 Thompson Road, Avondale, PA 19311, New Garden Township, **Chester County**. Jenifer Fields, ACRI-Environmental, 3846 East Brandon Way, Doylestown, PA

18902, on behalf of Chris Reitman, Montrose Environmental, 1140 Valley Forge Road, Valley Forge, PA 19482, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with lead and arsenic. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Signature Cleaners, Primary Facility ID # **839851**, 1456 Ferry Road, Unit 10, Doylestown, PA 18901, New Britain Township, **Bucks County**. Joseph Kraycik, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Michael Rosen, MAR & SAR, LLC d/b/a/Signature Cleaners, 1456 Ferry Road, Unit 10, Doylestown, PA 18901, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with VOCs. The Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

139 Buckwalter Road, Primary Facility ID # **839710**, 139 Buckwalter Road, Phoenixville, PA 19460, Charleston Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Andrea Gluch, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant, 412-442-4091.

CORRECTION—previously published on March 25, 2023

EQT Carpenter Well Pad, Primary Facility ID # **841907**, 104 Butternut Hollow Road, Holbrook, PA 15341, Center Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

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

OMR (02-188) Well Pad, Primary Facility ID # **864701**, 470 Green Leaf Lane, Blossburg, PA 16912, Hamilton Township, **Tioga County**. WSP USA Inc., 2000 Lenox Drive, 3rd Fl, Lawrenceville, PA 08648, on behalf of Repsol Oil & Gas USA, LLC, 337 Daniel Zenker Drive, Horseheads, NY 14845, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide health standards. Approved: April 17, 2023.

Jackson A Pad Unconventional Well Pad, Primary Facility ID # **863323**, 2425 Keir Hill Road, Columbia Cross Roads, PA 16914, 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, Suite 230, Canonsburg, PA 18831, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: April 20, 2023.

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

Contact: Eric Supey, Environmental Program Manager.

Gumble Brothers, Primary Facility ID # **863390**, 320 Route 507, Tafton, PA 18464, Palmyra Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Gumble Brothers, Inc., 320 Route 507, Tafton, PA 18464, submitted a Final Report concerning remediation of soil contaminated with gasoline. The Final Report demonstrated attainment of the Statewide health standards. Approved: April 25, 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.

Mike Martin Property, Primary Facility ID # **865327**, 1223 Main Street, East Earl, PA 17519, East Earl Township, **Lancaster County**. Letterle & Associates, Inc., 2022 Axeman Road, Suite 201, Bellefonte, PA 16823, on behalf of Mr. Michael Martin, 1223 Main Street, East Earl, PA 17519, 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: April 19, 2023.

Epting Tract, Primary Facility ID # **860572**, 24 Loose Lane, Leesport, PA 19533, Ontelaunee Township and Leesport Borough, **Berks County**. Environmental Maintenance Co., Inc., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Metropolitan Development Group, 2001 State Hill Road, Suite 205, Wyomissing, PA 19610, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil contaminated with Arsenic. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: April 21, 2023.

Yocum Property, Primary Facility ID # **850936**, 7307 Emily Lane, Alexandria, PA 16611, Porter Township, **Huntingdon County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Mr. and Mrs. Timothy Yocum, 7307 Emily Lane, Alexandria, PA 16611, submitted a Final Report concerning remediation of soil contaminated with No. 2 Heating Oil Compounds. The Final Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: April 21, 2023.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

69 2nd Avenue, Primary Facility ID # **774839**, 69 2nd Avenue, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Daniel W. Eshete, GeoStructures, Inc., 1000 West 9th Avenue, King of Prussia, PA 19406, on behalf of Paul Basso, Milro Group, 49 Hanse Avenue, Freeport, NY 11520, 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: April 21, 2023.

Phoenix French Creek Manor, Primary Facility ID # **804650**, 121 Bridge Street, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Paul White, Brickhouse Environmental, 515 South Franklin Street,

West Chester, PA 19382, on behalf of Greg Lingo, Rockwell French Creek TH LP, 126 East State Street, Media, PA 19063, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with SVOCs, VOCs and metals. The Report demonstrated attainment of the site-specific standards. Approved: April 20, 2023.

6800 Essington Avenue, Primary Facility ID # **853185**, 6800 Essington Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Julie Baniewicz, Apex Companies, LLC, 100 Arrandale, Boulevard, Suite 203, Exton, PA 19153, on behalf of Liam Sullivan, 6800 Essington Partners, LLC, 414 South 16th Street, Suite 100, Philadelphia, PA 19146, submitted a Risk Assessment concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, methylene chloride, MTBE, 1,2,4-TMB, tetrachloroethene, benzo(a)pyrene, arsenic, lead, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, and benzo(a)pyrene. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: April 18, 2023.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

401 Washington Street Property, Primary Facility ID # **632093**, 401 Washington Street, Conshohocken, PA 18109, **Borough of Conshohocken and Whitemarsh Township**. Donald F. Bowman, Colliers Engineering & Design, Inc., 941 Marcon Boulevard, Suite 801, Allentown, PA 18109, on behalf of David B. Kahan, Esq., KRE Acquisition Corporation, 520 U.S. Highway 22 East, P.O. Box 6872, Bridgewater NJ 08807, submitted a Cleanup Plan concerning remediation of soil contaminated with lead and inorganics. The Plan did not demonstrate attainment of the site specific standards. Disapproved: April 20, 2023.

269 Canal Road Site, Primary Facility ID # **620010**, 269 Canal Road, Fairless Hills, PA 19030, Falls Township, **Bucks County**. Bryan L. Emilius, PG, Dynamic Site Redevelopment, 10 Lippincott Lane, Unit 1, Mt. Holly, NJ 19007, on behalf of Anthony D. Cino, 269 Canal Road, LP, 301 Oxford Valley Road, Suite 702, Yardley, PA 19067, submitted a Cleanup Plan concerning remediation of soil contaminated with inorganics. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: April 18, 2023.

1717 West Allegheny Avenue (formerly 1711 West Allegheny Avenue), Primary Facility ID # **818630**, 1717 West Allegheny Avenue, Philadelphia, PA 19132, City of Philadelphia, **Philadelphia County**. Stephen Huxta, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Tom Shoemaker, Cristo Rey Philadelphia High School, 1717 West Allegheny Avenue, Philadelphia, PA 19132, submitted a Risk Assessment/Final Report concerning remediation of soil and groundwater contaminated with petroleum and chlorinated hydrocarbons, metals and PAHs. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: April 17, 2023.

Gasoline Retail Facility, Primary Facility ID # **848942**, 320 South West End Boulevard, Quakertown, PA 18951, Quakertown Borough, **Bucks County**. Andrew Markoski, PG, Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464, on behalf of John Edge, KBJM Real Estate, LLC, 220 South Eleventh Street, Quakertown, PA 18951, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with petroleum constituents.

The Report demonstrated attainment of the site-specific standards. Approved: April 14, 2023.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant, 412-442-4091.

EQT Carpenter Well Pad, Primary Facility ID # **841907**, 104 Butternut Hollow Road, Holbrook, PA 15341, Center Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: April 19, 2023.

CORRECTION—previously published on June 11, 2022.

EQT Carpenter Well Pad, Primary Facility ID # **841907**, 104 Butternut Hollow Road, Holbrook, PA 15341, Center Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: May 31, 2022.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL 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 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.

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

Contact: Waste Management Program Manager.

WMGM044SW001. Reserve Park Recycling and Transfer, Inc., 408 Hoffman Road, Pittsburgh, PA 15212, Reserve Township, **Allegheny County**. Coverage under General Permit No. WMGM044 for the processing and beneficial use of unpainted and untreated wood waste, gypsum board, brick, block and concrete waste, construction/demolition waste and various other waste as specified in the permit as mulch for landscaping purposes, soil erosion control material, aggregate material in construction, animal bedding, alternative fuel or recycled material at Michael Brothers Reserve Park Facility, 408 Hoffman Road, Pittsburgh, PA 15212-1121 was approved. Application received: August 19, 2022. Issued: April 21, 2023.

Persons interested in reviewing the permit may contact Regional Files, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

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.

WMGR123NC046. Blackhill Energy, LLC, 4600 J Barry Court, Ste 320, Canonsburg, PA 15317, Springfield Township, **Bradford County**. Determination of Applicability for the storage of oil and gas liquid waste to be used as a water supply to develop or hydraulically fracture an oil or gas well at the Young Beneficial Reuse Facility. Application received: May 25, 2022.

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.

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.

101312. Waste Management of PA, Inc., RR # 3, Box 4, Coal Township, PA 17866-3301, Coal Township, **Northumberland County**. Renewal permit for the operation of the Coal Township Transfer Station. Application received: November 22, 2022. Issued: April 18, 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.

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.

101724. Raccoon Refuse Transfer Station, Inc., 44939 Old Route 77, Spartansburg, PA 16434, Sparta Township, **Crawford County**. Operate a municipal waste transfer station Application received: September 16, 2019. Revoked: March 21, 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 Oren, Waste Management Permits Section Chief, 717-705-4907.

301344. VLS Lancaster LLC, 1076 Old Manheim Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. Permit renewal for VLS Lancaster, LLC residual waste processing facility. Permit No. 301344 is renewed until April 25, 2033. Application received: August 3, 2022. Renewal issued: April 17, 2023.

Persons interested in reviewing the permit may contact John Oren, Waste Management Permits Section 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.

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.

AG5-59-00029A: NFG Midstream Covington, LLC, 6363 Main Street, Williamsville, NY 14221, Bloss Township, **Tioga County**. The Department authorized the continued operation of existing sources pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at the DCNR Tract 595 Compressor Station. This authorization is for the continued operation of the following existing sources: six (6) 1,380 brake horsepower Waukesha model L5794GSI, rich-burn natural gas-fired compressor engines equipped with three-way catalysts, one (1) 605 bhp Doosan D219TIC natural gas-fired engine powering a Kohler 400REZXB 400 kW generator, one (1) 333 kW natural gas-fired Flex Energy model MT-333 microturbine, two (2) 75 million standard cubic foot per day triethylene glycol dehydrators equipped with flash tanks and 1.0 MMBtu/hr reboiler burners, six (6) 6,000 Btu/hr catalytic heaters, two (2) 250,000 Btu/hr waste heaters, two (2) 16,800-gallon produced fluids tanks, one (1) 1,000-gallon triethylene glycol tank, three (3) 520-gallon lubrication oil tanks, two (2) 500-gallon ethylene glycol tanks,

associated truck liquids loadout fugitives and fugitives from associated venting, piping, and components. Application received: April 12, 2023. Authorized: April 24, 2023. New expiration date: April 23, 2028.

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.

GP3-22-03103C: Rocky Licensing Corp., 201 Iron Valley Drive, Lebanon, PA 17042, Lower Swatara Township, **Dauphin County**. For portable nonmetallic mineral processing equipment at the Rocky Licensing/Byler Quarries Fiddlers Elbow South Quarry. Application received: March 7, 2023. Issued: April 24, 2023.

GP9-22-03103C: Rocky Licensing Corp., 201 Iron Valley Drive, Lebanon, PA 17042, Lower Swatara Township, **Dauphin County**. For four diesel fuel-fired internal combustion engines, to power portable nonmetallic mineral processing equipment at the Rocky Licensing/Byler Quarries Fiddlers Elbow South Quarry. Application received: March 7, 2023. Issued: April 24, 2023.

GP3-06-05073D: Dyer Quarry, Inc., 1275 Rock Hollow Road, Birdsboro, PA 19508, Robeson Township, **Berks County**. For the installation and operation of portable nonmetallic mineral processing equipment at the quarry and stone crushing facility. Application received: March 22, 2023. Issued: April 24, 2023.

GP9-06-05073D: Dyer Quarry, Inc., 1275 Rock Hollow Road, Birdsboro, PA 19508, Robeson Township, **Berks County**. For the installation and operation of four non-road diesel engines to power portable nonmetallic mineral processing equipment at the quarry and stone crushing facility. Application received: March 22, 2023. Issued: April 24, 2023.

GP3-22-03103D: Rocky Licensing Corp., 201 Iron Valley Drive, Lebanon, PA 17042, Lower Swatara Township, **Dauphin County**. For portable nonmetallic mineral processing equipment at the Rocky Licensing/Byler Quarries Fiddlers Elbow South Quarry. Application received: April 17, 2023. Issued: April 25, 2023.

GP9-22-03103D: Rocky Licensing Corp., 201 Iron Valley Drive, Lebanon, PA 17042, Lower Swatara Township, **Dauphin County**. For four diesel fuel-fired internal combustion engines, to power portable nonmetallic mineral processing equipment at the Rocky Licensing/Byler Quarries Fiddlers Elbow South Quarry. Application received: April 17, 2023. Issued: April 25, 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.

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.

PA-65-01122A: OPTA (US), Inc., Schreiber Industrial Park, Building 120, 14th Street and 3rd Avenue, New Kensington, PA 15608, City of Arnold, **Westmoreland County**. To extend the period of installation and temporary operation at Opta/Affival located in Arnold, Westmoreland County. Application received: August 4, 2020. Issued: April 24, 2023. Expiration date: October 28, 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.

18-00021D: Avery Dennison Performance Polymers, 171 Draketown Road, Mill Hall, PA 17751, Mill Hall Borough, **Clinton County**. The Department extended the plan approval for the temporary operation of the R-900 emulsion reactor at the Mill Hall facility. Application received: February 17, 2023. Extension: April 24, 2023. New expiration date: October 26, 2023.

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

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

IP 23-000061: Ecolab, Inc., 3501 S. Christopher Columbus Avenue, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. The Facility requested an extension for plan approval IP20-000473 because the construction of the project is not complete. Plan approval IP20-000473 was issued on September 8, 2021, for installation of Methyl Bromide (or MeBr, Chemical formula CH₃Br, also commonly known as bromomethane) and Phosphine (Chemical formula PH₃) fumigation operations at 3501 South Columbus Boulevard. AMS granted the extension till October 11, 2024. Application received: March 10, 2023. Issued: April 11, 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.

22-03096A: MI Windows & Doors LLC, 760 West Market Street, Gratz, PA 17030, Gratz Borough, **Dauphin County**. For the use of sealants and industrial clean-up solvents during the assembly of various window and door products at the Gratz facility. The plan approval was extended. Application received: April 10, 2023. Issued: April 25, 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.

23-0123: Aeroaggregates, LLC, 1500 Chester Pike, Eddystone, PA 19022-1338, Eddystone Borough, **Dela-ware County**. This action is for an extension of a plan approval for the operation of an existing natural gas-fired glass foaming tunnel kiln, an existing natural gas-fired fluidized bed dryer, and the installation of two (2) new natural gas-fired glass foaming tunnel kilns at an existing foamed glass aggregate production facility. Application received: April 13, 2023. Issued: April 18, 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-11-00536A: CPV Fairview, LLC, 2862 William Penn Avenue, Johnstown, PA 15909, Jackson Township, **Cambria County**. For plan approval extension for continued temporary operation of air contamination sources and controls at the CPV Fairview Energy Center. Application received: March 20, 2023. Effective: April 28, 2023. Expiration: October 28, 2023.

PA-11-00536B: CPV Fairview, LLC, 2862 William Penn Avenue, Johnstown, PA 15909, Jackson Township, **Cambria County**. For plan approval extension for continued temporary operation of air contamination sources and controls at the CPV Fairview Energy Center. Application received: March 20, 2023. Effective: April 28, 2023. Expiration: October 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.

55-00018: Cherry Hill Hardwoods, Inc., 3150 Middle Road, Richfield, PA 17086, West Perry Township, **Snyder County**. Issued a renewal State Only Operating Permit for the Richfield Lumber Mill. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: October 17, 2022. Issued: April 20, 2023.

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

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

03-00269: PulFlex Technologies, LLC, 706 Eljer Way, Ford City, PA 16226, Ford City Borough, **Armstrong County**. The Department issued the initial State Only Operating Permit for PulFlex Technologies, LLC for the manufacturing of composite plastic product. The facility is a Natural Minor. The primary sources at the facility consist of ten pultrusion lines. The potential emissions for this facility are estimated at 5.0 tpy VOC, 5 tpy single HAP, 5 tpy combined HAP and 19.5 tpy PM. 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. Application received: January 27, 2022. Issued: April 19, 2023.

03-00025: Greco Recycling Services Incorporated, PJ Greco Sons Kittanning Scrap Yard, 593 Tarrtown Road, Kittanning, PA 16201, East Franklin Township, **Armstrong County**. The Department issued the renewal of the State Only Operating Permit for PJ Greco Sons of Kittanning Scrap Yard for the scrap metal operation facility. The facility is a Natural Minor. The primary sources at the facility consist of an American Pulverizer Co. metal crusher (Cobbler), Donaldson Torit dust collector for the Cobbler, stockpiles of scrap metals, torch cutting for size reduction, shearer, baler, and fugitive emissions from the roadways. The actual emissions for this facility are estimated at 6.7 tpy VOC and 2 tpy PM. The renewal 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. Application received: November 23, 2021. Renewal issued: April 4, 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.

07-03071: Champion Home Builders, Inc., Claysburg Plant 7, 755 West Big Beaver Road, Suite 1000, Troy, MI 48084-4900, Greenfield Township, **Blair County**. For an existing modular home manufacturing facility, including adhesives and coating operations. Application received: February 10, 2023. Issued: April 20, 2023.

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.

04-00222: Austin Associates Inc./Vermiculite Plant, 1060 24th Street Ext., Beaver Falls, PA 15010, City of Beaver Falls, **Beaver County**. The Department issued a renewal natural minor State Only Operating Permit for a vermiculite plant. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at the facility located in Beaver Falls, Beaver County. Application received: January 24, 2023. Permit issued: April 24, 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.

37-00307: SA Recycling, LLC, 214 Gardner Avenue, New Castle, PA 16101, City of New Castle, **Lawrence County**. The Department administratively amended the Natural Minor State Only Operating Permit to incorporate the change of ownership from PSC Metals to SA Recycling LLC. Application received: February 16, 2023. Revised: April 17, 2023.

20-00040: Advanced Cast Products, 18771 Mill Street, Meadville, PA 16335-3644, Vernon Township, **Crawford County**. The Department administratively amended the Synthetic Minor State Only Operating Permit to incorporate the change of responsible official. Application received: February 27, 2023. Revised: April 17, 2023.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

15-00009: AGC Chemical Americans, Inc., 255 South Bailey Road, Downingtown, PA 19355, Caln Township, **Chester County**. In accordance with 25 Pa. Code § 127.450, Plan Approval 15-0009E was incorporated into the Operating Permit under Section D—Original Fluid Bed Dryer, Source ID 106. Application received: April 6, 2023. Issued: April 19, 2023.

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

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.

GP5-63-01021B/AG5-63-00008B: Diversified Prod, LLC, 125 Industry Road, Waynesburg, PA 15370, Morris Township, **Washington County**. This Notice is published per 25 Pa. Code Section 127.449(i), for the following de minimis emission increase at its Niveth-58 Well pad, located in Morris Township, Washington County: Project is for the installation and operation of a natural gas-fired thermal electric generator rated at 0.17 MMBtu/hr at Nineveh 58 Well Pad. There will be no other operational changes associated with the project. Diversified Prod LLC will continue to comply with all the applicable terms and conditions of GP-5A. BTEX condenser as an additional control on an existing dehydration unit and a change of manufacturer of the existing enclosed combustor from Flare Industries to Cimarron. There will be no other operational changes associated with the project. Mark West Liberty Midstream and Resources, LLC will continue to comply with all the applicable terms and conditions of GP-5.

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

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

Contact: Bonnie Herbert, Clerical Assistant.

Mining Permit No. 63091301. NPDES No. PA0236004. Tunnel Ridge, LLC, 184 Schoolhouse Lane, Valley Grove, WV 26060, Donegal, West Finley and East Finley Townships, **Washington County**. To revise the permit and related NPDES permit for development only, affecting 1,451.25 underground acres and 1,451.25 subsidence control plan acres. Application received: April 6, 2022. Accepted: May 24, 2022. Issued: April 1, 2023.

Mining Permit No. 32201301. NPDES No. PA0236543. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Armstrong Township, **Indiana County**. To operate a coal mining activity permit

and related NPDES permit. A room and pillar mining method will be employed with no secondary mining proposed, affecting 61.0 surface acres, 6,285.1 underground acres and 6,285.1 subsidence control plan acres. Receiving stream(s): Crooked Creek classified for the following use(s): WWF; Tributary 46755 to Crooked Creek classified for the following use(s): CWF; and Tributary 46756 to Crooked Creek classified for the following use(s): CWF. Application received: October 13, 2020. Accepted: December 10, 2020. Issued: March 23, 2023.

Mining Permit No. 56841301. NPDES No. PA0110914. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Quemahoning Township, **Somerset County**. To renew the permit and related NPDES permit. Application received: August 6, 2021. Accepted: September 22, 2021. Issued: April 5, 2023.

Mining Permit No. 30121301. NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Morris Townships, **Greene County**. To revise the permit and related NPDES permit for installation of degas boreholes, affecting 5.6 surface acres. Application received: October 20, 2022. Accepted: December 16, 2022. Issued: March 29, 2023.

Mining Permit No. 56100701. NPDES No. PA0235989. Wilson Creek Energy, LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Milford Township, **Somerset County**. To revise the permit and related NPDES permit for the water handling plan and outfall 003. Application received: July 27, 2020. Accepted: September 3, 2020. Issued: March 28, 2023.

Mining Permit No. 30841317. NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Morris Townships, **Greene County**. To revise the permit and related NPDES permit for VEP boreholes project, affecting 5.4 surface acres. Application received: June 14, 2022. Accepted: August 11, 2022. Issued: March 27, 2023.

Mining Permit No. 56100701. NPDES No. PA0235989. Wilson Creek Energy, LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Milford Township, **Somerset County**. To renew the permit and related NPDES permit. Application received: July 8, 2021. Accepted: September 9, 2021. Issued: March 27, 2023.

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

Contact: Melanie Ford-Wigfield, 814-472-1900, rapcambria@pa.gov.

Mining Permit No. 56841612. NPDES No. PA0588491. Wilson Creek Energy, LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Black Township, **Somerset County**. Renewal to the NPDES permit. Receiving stream: Coxes Creek classified for the following use: WWF. Application received: August 4, 2021. Issued: April 24, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 40663013. GP104 Permit No. PAM111096. Jeddo-Highland Coal Company, 144 Brown Street, Yatesville, PA 18640, Hazle Township, **Luzerne County**. Modification to reduce permitted acres of coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities

(BMP-GP-104). Receiving stream: Black Creek. Application received: December 5, 2022. Coverage issued: April 25, 2023.

Noncoal Permits

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

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

Mining Permit No. 10170301. NPDES No. PA0280569. Glenn O. Hawbaker, Inc., 1952 Waddle Road, Suite 203, State College, PA 16803, Parker Township, **Butler County**. Renewal of NPDES Permit No. PA0280569 associated with noncoal surface mining. Receiving streams: Unnamed tributaries to North Branch Bear Creek and North Branch Bear Creek, classified for the following uses: CWF. Application received: December 5, 2022. Issued: April 24, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 36120301. NPDES Permit No. PA0225266. Allan Myers Materials PA, Inc., d/b/a Allan Myers Materials, 638 Lancaster Avenue, Malvern, PA 19355, Upper Leacock and Manheim Townships, **Lancaster County**. Renew NPDES permit on a quarry operation. Receiving streams: Conestoga River and UNT to Conestoga River. Application received: October 27, 2022. Renewal issued: April 20, 2023.

Mining Permit No. 6575SM1. Heidelberg Materials Northeast, LLC, 7660 Imperial Way, Allentown, PA 18195, Hamilton Township, **Monroe County**. Correction to add mine reclamation fill as a reclamation option affecting 180.0 acres. Receiving stream: Cherry Creek. Application received: February 16, 2022. Correction issued: April 20, 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. 58234102. DW Drilling & Blasting, LLC, 2733 East Battlefield Street, # 320, Springfield, MO 65804, Bridgewater Township, **Susquehanna County**. Construction blasting for Lewis Well Pad 1. Application received: April 6, 2023. Permit issued: April 19, 2023. Expiration date: April 5, 2024.

Permit No. 35234105. Maurer & Scott Sales, Inc., 122 Thomas Street, Coopersburg, PA 18036, Moosic Borough, **Lackawanna County**. Construction blasting for Glenmaura Commons. Application received: April 13, 2023. Permit issued: April 20, 2023. Expiration date: April 12, 2024.

Permit No. 40234106. Maurer & Scott Sales, Inc., 122 Thomas Street, Coopersburg, PA 18036, Hazle Township, **Luzerne County**. Construction blasting for Hazleton Logistics. Application received: April 20, 2023. Permit issued: April 20, 2023. Expiration date: April 19, 2024.

Permit No. 48234105. Maurer & Scott Sales, Inc., 122 Thomas Street, Coopersburg, PA 18036, Lower Mount Bethel Township, **Northampton County**. Construction blasting for Easton Block new plant area. Application received: April 18, 2023. Permit issued: April 20, 2023. Expiration date: April 18, 2024.

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 09234103. Rock Work, Inc., 1257 DeKalb Pike, Blue Bell, PA 19422, Middletown Township, **Bucks County**. Construction blasting for OVM Apartments. Application received: April 13, 2023. Permit issued: April 20, 2023. Expiration date: December 31, 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.

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

E0829223-001. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, Overton Township, Bradford County. U.S. Army Corps of Engineers Baltimore District. Application received: January 19, 2023. Issued: April 20, 2023.

To construct, operate and maintain:

1. a 16-inch diameter temporary waterline impacting 12 linear feet of Level Branch (EV, MF) and 596 square feet of floodway impacts (Overton, PA Quadrangle 41.596471°, -76.530379°);

2. a 16-inch diameter temporary waterline impacting 16 linear feet of Level Branch (EV, MF) and 424 square feet of floodway impacts (Overton, PA Quadrangle 41.595031°, -76.529831°);

3. a 16-inch diameter temporary waterline impacting 3 linear feet of an unnamed tributary to Level Branch (EV, MF) and 161 square feet of floodway impacts (Overton, PA Quadrangle 41.594171°, -76.530159°);

4. a 16-inch diameter temporary waterline impacting 10 linear feet of an unnamed tributary to Level Branch (EV, MF) and 137 square feet of floodway impacts (Overton, PA Quadrangle 41.593231°, -76.530362°);

5. a 16-inch diameter temporary waterline impacting 14 linear feet of an unnamed tributary to Level Branch (EV, MF) and 383 square feet of floodway impacts (Overton, PA Quadrangle 41.588605°, -76.532137°);

6. a 16-inch diameter temporary waterline impacting 2 linear feet of an unnamed tributary to Level Branch (EV, MF) and 242 square feet of floodway impacts (Overton, PA Quadrangle 41.587867°, -76.532413°);

7. a 16-inch diameter temporary waterline impacting 4 linear feet of an unnamed tributary to Level Branch (EV, MF) and 516 square feet of floodway impacts (Overton, PA Quadrangle 41.586860°, -76.533015°);

8. a 16-inch diameter temporary waterline impacting 2,520 square feet of an unnamed tributary to Level Branch floodway (EV, MF) (Overton, PA Quadrangle, Latitude: 41.58932°, Longitude: -76.535630°);

The project will result in 61 linear feet (100 square feet) of temporary stream impacts, and 4,979 square feet (0.114 acre) of temporary floodway impacts, all for the purpose of establishing a temporary water supply for Marcellus well development in Overton Township, Bradford County.

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

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

E1006222-002. Wee Five Development LLC, 1272 Mars Evans City Road, Evans City, PA 16033, Jackson Township, Butler County. U.S. Army Corps of Engineers Pittsburgh District.

The applicant was proposing to construct a development in Jackson Township, Butler County directly north of Evans City Reservoir, along Lindsay Road, consisting of 85 townhomes units and 100 single-family homes with all associated infrastructure impacting approximately 9,754.5 sf (0.2239 ac) of watercourse, 22,050 sf (0.5062 ac) of floodways and approximately 881.2 sf PEM wetlands, 3,484.8 sf PSS wetlands, and 6,534 sf PFO wetlands (totaling approximately 0.25 ac wetland). The applicant is planning mitigation though bank credit purchase. Latitude: 40.772107°, Longitude: -80.094222°. Application received: April 25, 2023. Denied: April 19, 2023.

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

Contact: Dana Drake, Program Manager.

E0205222-028. Suncap Property Group, 6101 Carnegie Boulevard, Suite 180, Charlotte, NC 28209, Findlay Township, Allegheny County. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: Place and maintain fill within 0.19 acre of PEM/PSS wetlands, for the purpose of constructing a 260,000 square foot warehouse building with associated parking and site improvements. Proposed mitigation for the impacts includes creating a 0.23 acre mitigation area. The project site is located at 15 McClaren Road, Coraopolis, PA 15108 (Oakdale PA USGS topographic quadrangle; N: 40°, 27', 31"; W: -80°, 13', 50"; Sub-basin 20G). Application received: October 6, 2022. Issued: April 20, 2023.

ENVIRONMENTAL ASSESSMENTS

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-783-5784.

Contact: Niamh Hays, Water Program Specialist, 717-772-5959.

EA6715222-001. Emily Neideigh, 118 Pleasant Acres Road, York, PA 17042, Hopewell Township, York County. U.S. Army Corps of Engineers Baltimore District.

The Division of Wetlands, Encroachments, and Training has approved the restoration plan to remove approximately 12,479 cubic yards of legacy sediment and other historic fills from the floodplain along Leibs Creek (HQ—CWF), for the purpose of restoring natural aquatic resources including approximately 3.39 acres of integrated wetland, stream, and floodplain areas; to realign approximately 1,467 linear feet of stream for the purpose of restoring watercourses; to place rock stream and valley grade control structures; to place rock slope protection: to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct rock construction entrances, temporary stream crossings, and other erosion controls during restoration activities. Additional features of the overall restoration plan include an agricultural ford crossing Latitude: 39.750840°, Longitude: -76.568395°. Application received: November 3, 2022. Approved: March 23, 2023.

EA3615222-001. Pamela Lyons-Neville & Mary Haverstick, 73 Highville Road, Millersville, PA 17511, Manor Township, Lancaster County. U.S. Army Corps of Engineers Baltimore District.

The Division of Wetlands, Encroachments, and Training has approved the restoration plan to remove approximately 2,800 cubic yards of legacy sediment and other historic fills from the floodplain along Indian Run (Desig-

nated Use: WWF/MF), and an unnamed tributary to Indian Run, for the purpose of restoring natural aquatic resources including approximately 1.03 acres of integrated wetland, stream, and floodplain areas; to realign approximately 810 linear feet of stream for the purpose of restoring watercourses; to place rock stream and valley grade control structures; to place rock slope protection: to place log sills, woody debris, and other aquatic habitat structures within the restoration areas; to construct rock construction entrances, temporary stream crossings, and other erosion controls during restoration activities Latitude: 39° 57' 37", Longitude: -76° 25' 3". Application received: June 21, 2022. Approved: March 29, 2023.

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

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

EA1006222-001. Cranberry Township, 2525 Rochester Road, Suite 400, Cranberry, PA 16066, Cranberry Township, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District.

Brush Creek Restoration project will restore and enhance approximately 6,875 linear feet of Brush Creek and two unnamed tributaries to Brush Creek. The project will eliminate approximately 310,000 pounds of sediment from the watershed by restoring the streams dimension, meander pattern, and profile to a stable condition using principles of natural channel design. The project will include reduction of sediment loading, stabilize stream banks, reestablish floodplain connectivity where appropriate, enhance riparian buffers through the addition of tree, shrubs, and herbaceous cover, and will create and enhance wetlands. Latitude: 40.729950°, Longitude: -80.122556°. Application received: August 19, 2022. Issued: April 21, 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-EPEASTERNOPRG@pa.gov.

ESCGP # 3 **ESG295823002-00**

Applicant Name **Coterra Energy, Inc.**

Contact Person Kenneth Marcum

Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275

Township(s) Jessup Township

County **Susquehanna County**

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

Lake Creek (CWF, MF)

Application received: January 16, 2023

Issued: April 20, 2023

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

Contact: Kate Hogue Clerical Supervisor, 814-332-6868.

ESCGP # 3 **ESG081023001-00**

Applicant Name **Pennenergy Resources, LLC**

Contact Person Cody Salmon

Address 1000 Commerce Drive, Park Place One, Ste 400

City, State, Zip Pittsburgh, PA 15275-1011

Township(s) Clinton Township

County **Butler County**

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

42495 of Lardintown Run (TSF)

Application received: January 19, 2023

Issued: April 24, 2023

ESCGP # 3 **ESG076323001-00**

Applicant Name **Diversified Oil & Gas, LLC**

Contact Person Daniel Frick

Address 101 McQuiston Drive

City, State, Zip Jackson Center, PA 16133

Township(s) Morris Township

County **Washington County**

Receiving Stream(s) and Classification(s) Crafts Creek

(TSF); Tenmile Creek (TSF)

Application received: January 26, 2023

Issued: April 25, 2023

Contact: Kate Hogue, Clerical Supervisor, 814-332-6868.

ESCGP # 3 **ESG083223001-00/Jost Van Dyke Well Pad**

Applicant Name **INR OPR, LLC**

Contact Person Zachary Arnold

Address 2605 Cranberry Square

City, State, Zip Morgantown, WV 26508

Township(s) Young Township

County **Indiana County**

Receiving Stream(s) and Classification(s) Craig Run WWF

Craig Run WWF Whiskey Run CWF Tributary 46433 to

Gobblers Run WWF Tributary 46433 To Gobblers Run

WWF

Application received: February 27, 2023

Issued: April 25, 2023

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

Contact: D. J. Stevenson, (412) 244-4281.

ESCGP # 3 **ESG076322014-00**

Applicant Name **CNX Midstream Operating Company, LLC**

Contact Person Robert Bassett

Address 1000 Horizon Vue Drive

City, State, Zip Canonsburg, PA 15317
 Township(s) Morris Township, West Finley Township
 County **Washington County**
 Receiving Stream(s) and Classification(s) UNT to Enlow
 Fork—WWF; Templeton Fork—TSF
 Application received: November 18, 2022
 Issued: April 20, 2023

Contact: *D. J. Stevenson, 412-442-4281.*

ESCGP # 3 **ESG071123001-00**
 Applicant Name **EQM Gathering OPCO, LLC**
 Contact Person Tom Glisson
 Address 2200 Energy Drive
 City, State, Zip Canonsburg, PA 15317
 Township(s) Jackson Township
 County **Cambria County**
 Receiving Stream(s) and Classification(s) UNT to Red
 Run, HQ—CWF; Findley Run, HQ—CWF; UNT to
 Laurel Run, HQ—CWF
 Application received: March 7, 2023
 Issued: April 20, 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*

Guthrie Health System Robert Packer Hospital, Storage Tank Facility ID # **08-20594**, 1 Guthrie Square, Sayre, PA 18840, Sayre Borough, **Bradford County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Robert Packer Hospital, 1 Guthrie Square, Sayre, PA 18840 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel fuel. The report is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

Kwik Fill # M-202, Storage Tank Facility ID # **17-28130**, 87 Rolling Stone Road, Kylertown, PA 16847, Cooper Township, **Clearfield County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Avenue, P.O. Box 688, Warren, PA 16365 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with diesel fuel. The report is intended to document the remedial actions for meeting residential Statewide health standards.

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

Contact: *Eric Supey, Environmental Program Manager.*

PA0028 Scranton (former Joe's Kwik Mart 200), Storage Tank Facility ID # **35-20606**, 1327 Providence Road, Scranton, PA 18508, City of Scranton, **Lackawanna County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of Joseph Gentile Jr., 1031B Reeves Street, Dunmore, PA 18512 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health and site-specific standards.

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

Contact: *Natalie Ferraro 814-332-6648.*

Snider Shell SVC, Storage Tank Facility ID # **25-34596**, 6501 Route 89, North East, PA 16428, North East Township, **Erie County**. Atlas Technical Consultants, 270 William Pitt Way, Pittsburgh, PA 15238 on behalf of Snider Shell Service, 1033 E 29th Street, Erie, PA 16504 submitted a Remedial Action Plan, concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health 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.*

Phila Marine Ctr, Storage Tank Facility ID # **51-42260**, 235 N. Columbus Blvd, Pier 12N, Philadelphia, PA 19106, City of Philadelphia, **Philadelphia County**. Curren Environmental, Inc., 10 Penn Avenue, Cherry Hill, NJ 08002, on behalf of Piers at Penn's Landing, LLC, c/o the Durst Organization, One Bryant Park, New York, NY 10036 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant, 412-442-4091.

Route 51 Exxon, Storage Tank Facility ID # **26-83288**, 1156 Pittsburgh Road, Uniontown, PA 15401, North Union Township, **Fayette County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Gnagey Gas and Oil Company, 8 Gardner Street, Uniontown, PA 15401 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with diesel fuel. The plan is intended to document the remedial actions for meeting nonresidential Statewide health 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.

Kwik Fill # M0058, Storage Tank Facility ID # **17-14822**, 2519 Daisy Street Extension, Clearfield, PA

16830, Lawrence Township, **Clearfield County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of Pennsylvania, 814 Lexington Avenue, P.O. Box 688, Warren, PA 16365 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on April 19, 2023.

Former Sunoco Station 0363-0233/7-Eleven 142881, 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 nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on April 19, 2023.

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

Contact: Eric Supey, Environmental Program Manager.

Speedway # 6756, Storage Tank Facility ID # **54-14427**, 6 Tremont Road, Pine Grove, PA 17963, Pine Grove Township, **Schuylkill County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of Speedway, LLC, P.O. Box 1500, Springfield, OH 44501 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on April 19, 2023.

Al's Quick Stop 1, Storage Tank Facility ID # **35-50754**, 554 State Route 435, Elmhurst, PA 18444, Elmhurst Township, **Lackawanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Binnie Real Estate, LLC, 1010 East Drinker Street, Dunmore, PA 18512 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was not acceptable to meet the Statewide health standards and was disapproved by DEP on April 20, 2023.

Jewell's Service Station, Storage Tank Facility ID # **48-05687**, 251 East Central Ave, East Bangor, PA 18013, East Bangor Borough, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Shirley and Larry Jewell, 101 Cowburn Road, Ulysses, PA 16948 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on April 25, 2023.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Cherie M. Campbell, Soil Scientist.

Keneco, Storage Tank Facility ID # **01-36776**, 6149 Baltimore Pike, Littlestown, PA 17340-9504, Germany Township, **Adams County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Dean and Sharon Berkheimer, 6149 Baltimore Pike, Littlestown, PA

17340-9504 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report did not demonstrate attainment of the Statewide health and site-specific standards and was disapproved by DEP on April 27, 2023.

SPECIAL NOTICES

WATER PROGRAMS

WATER OBSTRUCTIONS AND ENCROACHMENTS

Central Office: Regional Permit Coordination Office, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: RA-EPREGIONALPERMIT@pa.gov.

The following permit application has been received by the Department. Persons objecting to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the Regional Permit Coordination Office as noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates.

More information regarding the permit applications related to this proposed project may be available online (dep.pa.gov/pipelines) or in the Department's Regional Permit Coordination Office. The Department's Regional Permit Coordination Office can be contacted at 717-772-5987 or RA-EPREGIONALPERMIT@pa.gov.

Comments on the applications can be emailed or sent via postal mail to the Department of Environmental Protection, Regional Permit Coordination Office, Rachel Carson Building, 400 Market Street, 10th Floor, Harrisburg, PA 17101, RA-EPREGIONALPERMIT@pa.gov.

Persons with a disability that require an auxiliary aid, service or other accommodation should contact the specified Department office. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

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).

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101; Email: RA-EPREGIONALPERMIT@pa.gov.

E4083223-008. Transcontinental Gas Pipe Line Company, LLC, Park Place Corporate Center Two, 2000 Commerce Drive, Pittsburgh, PA 15275, Fairmount Township, Luzerne County, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a stream restoration project in approximately 34-feet of Kitchen Creek (HQ—CWF, MF) for the purposes of protecting the exposed existing

Leidy line A natural gas pipeline. The work includes the removal of existing matting, installation of concrete grout with native materials, and installation of three rock grade control structures.

The project is located 0.65 mile east of Tripp Road (Latitude: 41.290793, Longitude: -76.270130°) in Fairmount Township, Luzerne County.

[Pa.B. Doc. No. 23-595. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.depgreenport.state.pa.us/elibrary/. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a document should call the contact person whose name and phone number are listed with each document.

Final TGD: New Guidance

DEP ID: 800-0810-003. **Title:** Guidelines for Development of Operator Pressure Barrier Policy for Unconventional Wells. **Description:** This final guidance is to assist unconventional operators developing the Pressure Barrier Policy component of a Preparedness, Prevention and Contingency plan. Recommendations relevant to maintaining compliance with the requirements of 25 Pa. Code Chapter 78a (relating to unconventional wells), including associated American Petroleum Institute Standards or Recommended Practices incorporated therein and any additional requirements set forth in The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), 58 Pa.C.S. §§ 3201—3274 (relating to development) (2012 Oil and Gas Act) and other applicable laws and regulations are summarized. These guidelines have been developed to facilitate appropriate well control incident risk mitigation.

The Department published the draft guidance document in the *Pennsylvania Bulletin* at 50 Pa.B. 4459 (August 29, 2020). Based on the approximately 73 comments from 5 commentators received during the 30-day comment period, the Department made several editorial

and substantive changes to the guidelines. These include a series of editorial and style changes to the guidelines in association with all comments received indicating grammatical or typographical errors and those requesting further clarification. Additionally, 16 substantive changes were made to the guidelines in association with comments received.

Contact: Questions regarding this TGD should be directed to Harry Wise at hwise@pa.gov or (717) 772-2199.

Effective Date: May 6, 2023

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-596. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

EC-04-80073-23, Storage Tank Removal, Jim's Sunoco Service Inc., New Brighton Borough, Bea-

ver County. The principal items of work and approximate quantities include: excavation, removal and disposal of underground storage tank systems; A. excavation, 5 lump sum; B. five underground storage tanks (five storage tanks 001, 002, 007, 008 and 009); cleaning, removal and disposal and/or salvage of underground tank and appurtenances, 5 lump sum; removal and disposal of residual liquids from underground storage tank systems, 5 drums; site access and restriction, 1 lump sum; backfill, 256 tons; and project completion report, 1 lump sum.

This bid issues on April 28, 2023, and bids will be opened on June 1, 2023, at 2 p.m. Bid documents may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. This is a small construction business program bid opportunity.

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-597. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Planning Grant Awards under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988

The Department of Environmental Protection announces the following grant to Delaware County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. The grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offering can be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at mvottero@pa.gov or (717) 772-5719.

Act 101, Section 901 Planning Grant

Region	County	Applicant	Project	Grant
Southeast	Delaware	Delaware County	Plan Revision	\$75,000

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-598. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Stream Redesignation Evaluation of Brodhead Creek; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use) the Department of Environmental Protection

(Department) gives notice that evaluations will be conducted on the stream section listed in the following table to determine the proper protected use designation in this Commonwealth's Water Quality Standards.

Stream Name	County	Tributary to
Brodhead Creek	Monroe	Delaware River

The evaluation of Brodhead Creek is being conducted in response to a rulemaking petition submitted to the

Environmental Quality Board (Board) by the Brodhead Watershed Association. On November 15, 2022, the Board accepted the rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board Policy for processing petitions—statement of policy). The Brodhead Creek is currently designated High-Quality—Coldwater Fishes, Migratory Fishes (HQ—CWF, MF), as identified in 25 Pa. Code § 93.9c (relating to Drainage List C). The petitioner is requesting the basin be redesignated to Exceptional Value waters.

The petitions are available on the Department's web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board," then "2022 Meetings") or by contacting the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526.

Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in these evaluations. These evaluations may lead to recommendations to the Board for redesignation.

Interested persons may submit data through Monday, June 5, 2023. Persons are encouraged to submit information using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment. Data may also be submitted to eComment by e-mail to ecomment@pa.gov. Data may also be submitted to mbrickner@pa.gov or Mark Brickner, Water Quality Division, Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Mark Brickner directly at (717) 787-9637 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-599. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Addition of Guanidinoacetate Methyltransferase Deficiency to the Supplemental Conditions Mandated for Newborn Screening in this Commonwealth; Public Comment

The United States Secretary of Health and Human Services approved the Advisory Committee on Heritable Disorders in Newborns and Children recommendation to add Guanidinoacetate Methyltransferase (GAMT) deficiency to the Recommended Uniform Screening Panel on January 4, 2023. The Department of Health's (Department) Division of Newborn Screening and Genetics (DNSG), with support of the Newborn Screening and Follow-up Technical Advisory Board (NSFTAB), is proposing that GAMT deficiency screening be added effective January 1, 2024, to the supplemental conditions mandated for screening by submitters within this Commonwealth and follow-up by the DNSG.

GAMT deficiency is an autosomal recessive disorder that impairs the production of creatine and leads to build up of guanidinoacetate. GAMT deficiency can result in seizures, intellectual disability, movement disorders and muscle weakness.

Under section 3 of the Newborn Child Testing Act (35 P.S. § 623), a 30-day public comment period is required before changes are made to the list of conditions for which newborn children are screened and laboratory screening results reported. Written comments regarding the Department and NSFTAB's proposal to add GAMT deficiency to the list of conditions may be sent by e-mail to RA-TCNBSADMIN_Fax@pa.gov or by mail to the Department of Health, Division of Newborn Screening and Genetics, 625 Forster Steet, 7th Floor East, Harrisburg, PA 17120. Written comments must be received by June 9, 2023, to be considered.

For additional information, contact Jennifer Bixler, Public Health Program Director, Division of Newborn Screening and Genetics, at (717) 783-8143. Speech and/or hearing-impaired persons use V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-600. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Home Health Agencies; Requests for Exception

The following home care agencies are seeking exceptions to 28 Pa. Code § 611.51(a)(1) (relating to hiring or rostering of direct care workers):

Interim Healthcare Personal Care and Support Services
of Uniontown
1325 Connellsville Road
Suite 24
Lemont Furnace, PA 15456
LIC # 29953601

Interim Healthcare Personal Care and Support Services
of Pittsburgh
1789 South Braddock Avenue
Suite 220
Pittsburgh, PA 15218
LIC # 33843601

Interim Healthcare Personal Care and Support Services
of Meadville
11524 Airport Road
Suite 1
Meadville, PA 16335
LIC # 34993601

Interim Healthcare Personal Care and Support Services
of Erie
2206 West 15th Street
Erie, PA 16505
LIC # 28003601

Interim Healthcare Personal Care and Support Services
of Johnstown
322 Warren Street
Suite 250
Johnstown, PA 15905
LIC # 29243601

Interim Healthcare Personal Care and Support Services
of Somerset
512 Georgian Place
Somerset, PA 15501
LIC # 26923601

Interim Healthcare Personal Care and Support Services
of Duncansville
1709 Plank Road
Suite 302
Duncansville, PA 16635
LIC # 29683601

Home Care Network Pennsylvania
300 Valley Forge Circle
Suite 3300
King of Prussia, PA 19406
LIC # 68053601

Dedicated Nursing Associates
3325 Hamilton Boulevard
Allentown, PA 18103
LIC # 22733601

Living Care Home Services
875 North Easton Road
Suite 4B
Doylestown, PA 18902
LIC # 13523601

Luvie's Helping Hands Home Care Agency
7212 Race Street
Pittsburgh, PA 15208
LIC # 69753601

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379, fax (717) 787-3188, ra-communityprogramlicensure@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. 23-601. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting at the Alloy King of Prussia, 301 West Dekalb Pike, King of Prussia, PA 19406 on Wednesday, May 17, 2023, from 3 p.m. to 7 p.m. and on Thursday, May 18, 2023, from 9 a.m. to 4:30 p.m.

Participants can also access the meeting virtually through the following options:

To join Microsoft Teams meetings, individuals will need to connect by phone; this can be done by dialing the following number and entering the meeting ID listed as follows:

Day 1: Meeting

Call in Information:
Phone Number: (866) 588-4789
Phone Conference ID: 473122571#
<https://tinyurl.com/MayHPGTownhall>

Day 2: Main Meeting

Call in Information:
Phone Number: (866) 588-4789
Phone Conference ID: 185102506#
<https://tinyurl.com/MayHPGMeetingDay2>

Day 2: Subcommittee Breakout Meeting

Evaluation Subcommittee

Call in Information:
Phone Number: (866) 588-4789
Phone Conference ID: 185102506#
<https://tinyurl.com/MayHPGMeetingDay2>

Intersectional and Innovation Subcommittee

Call in Information:
Phone Number: (866) 588-4789
Phone Conference ID: 49878116#
<https://tinyurl.com/MayHPGMeetingSubcommittee>

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention Integrated HIV Surveillance and Prevention Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so should contact Kyle Fait, Planning Coordinator, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Health and Welfare Building, Harrisburg, PA 17120, (717) 260-8929, 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).

The Department reserves the right to cancel these meetings without prior notice.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-602. Filed for public inspection May 5, 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 § 205.36(h) (relating to bathing facilities):

Providence Pointe Healthcare Residence
200 Adams Avenue
Pittsburgh, PA 15243
FAC ID # 21600201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.7 (relating to basement or cellar):

Moravian Village of Bethlehem
634 East Broad Street
Bethlehem, PA 18018
FAC ID # 15970201

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed 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. 23-603. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); WIC Advisory

The WIC Advisory will meet on May 10, 2023, from 1 p.m. to 2 p.m. The purpose of this meeting is to collaborate to gather suggestions of strategies for increasing participation and improving the WIC program to better support participants. The Department of Health (Department) will send out the meeting agenda no later than May 9, 2023, at 12 p.m. by e-mail. Individuals interested in receiving a copy of the agenda may send an e-mail to ra-dhwicadvisory@pa.gov requesting to be added to the distribution list.

Individuals can join at [https://teams.microsoft.com/j/](https://teams.microsoft.com/j/meetup-join/19%3ameeting_MmVkJzUwMTETZTI2Mi00)

NtC4LTlhM2QtZjM5MTMzODIzMjgy%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%220cfa0410-062c-44ce-8c0c-5e4c0a12ecd9%22%7d.

Note: The previous link to access the meeting does not include a period. The link ends at 22%7d with no period. If copying and pasting the link, do not copy any period at the end if there is one.

Individuals can also join by calling (267) 332-8737. The conference ID number is 747 537 219#.

The meeting will be recorded so if individuals choose to attend, they are consenting to being recorded. Individuals should not attend the meeting if they do not wish to be recorded.

This meeting is subject to cancellation without notice.

Questions about the WIC Advisory may be submitted by e-mail to the Department at ra-dhwicadvisory@pa.gov.

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille) should contact the Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, 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).

The Pennsylvania WIC program is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider.

USDA Nondiscrimination Statement:

In accordance with Federal civil rights law and the USDA civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (for example, Braille, large print, audiotape, American Sign Language), should contact the responsible State or local agency that administers the program or the USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact the USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992 or by writing a letter addressed to the USDA. The letter must contain the complainant's name, address, telephone number and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to the USDA by mail to the United States Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, fax (833) 256-1665, (202) 690-7442, Program.Intake@usda.gov.

This institution is an equal opportunity provider.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-604. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Change to Disproportionate Share Payments to Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to increase the funding and amend the payment methodology for a class of disproportionate share hospital (DSH) payments for qualifying acute care general hospitals for Fiscal Year (FY) 2022-2023. These payments will continue to provide financial relief to hospitals and promote access to acute care services for Pennsylvania Medical Assistance (MA) beneficiaries during the novel coronavirus (COVID-19) pandemic. The Department does not intend to otherwise change the qualifying criteria for these payments.

Payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Payment Methodology

The Department will determine a qualifying hospital's annual payment amount by multiplying the hospital's number of Pennsylvania MA inpatient acute care days, both fee-for-service and managed care, by either:

- \$168.80 for qualifying hospitals with at least 90% MA dependence percent ranking; or
- \$135.05 for qualifying hospitals with at least 75% but less than 90% MA dependence percent ranking; or
- \$101.27 for qualifying hospitals with at least 50% but less than 75% MA dependence percent ranking; or
- \$67.52 for qualifying hospitals with less than 50% MA dependence percent ranking.

Fiscal Impact

The total FY 2022-2023 impact as a result of the increase in the allocation for these DSH payments is an annualized amount of \$170.421 million in total funds (State and Federal), upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding these DSH payments to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120, RA-PWMAProgComments@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-NOT-1573. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2022-23 is \$36,802,000; (3) 1st Succeeding Year 2023-24 is \$38,600,000; 2nd Succeeding Year 2024-25 through 5th Succeeding Year 2027-28 are \$0; (4) 2021-22 Program—\$644,059,000; 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; (7) MA—Fee-for-Services; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 23-605. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Hospital Payments for Trauma Services

The Department of Human Services (Department) is providing final public notice to allocate funds for Fiscal Year (FY) 2022-2023 disproportionate share hospital payments to Medical Assistance (MA) enrolled acute care general hospitals qualifying as trauma centers. The Department will also amend the qualifying criteria and payment methodology for these payments.

The Department published notice of its intent to allocate funding and to implement changes to the qualifying criteria and payment methodologies for these payments at 52 Pa.B. 7566 (December 10, 2022). The Department received no comments during the 30-day comment period. The Department will implement the total payment and changes set forth in the notice of intent.

Fiscal Impact

The FY 2022-2023 impact, as a result of the funding allocation for these payments, is \$18.034 million in total funds.

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-NOT-1571. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2022-23 is \$7,755,000; (3) 1st Succeeding Year 2023-24 through 5th Succeeding Year 2027-28 are \$0; (4) 2021-22 Program—\$7,522,000; 2020-21 Program—\$7,534,000; 2019-20 Program—\$7,397,000; (7) MA—Trauma Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 23-606. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments and Supplemental Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing Final Public Notice to update the qualifying criteria and payment methodology for disproportionate share hospital and supplemental payments to Medical Assistance enrolled and qualifying emergency depart-

ments in acute care general hospitals by adding references to the report used in determining the eligibility for and the payment amounts, beginning Fiscal Year 2022-2023.

The Department published notice of its intent to change the qualifying criteria and payment methodology for these payments at 52 Pa.B. 7473 (December 3, 2022). The Department received no comments during the 30-day comment period.

Fiscal Impact

There is no fiscal impact associated with the changes to these eligibility criteria and payment methodologies.

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-NOT-1570. No fiscal impact; recommends adoption.

[Pa.B. Doc. No. 23-607. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Income Limits and Co-payments for the Subsidized Child Care Program

This notice increases the income limits codified at 55 Pa. Code Chapter 3041, Appendix B (relating to co-payment chart family co-payment scale (based on the 2023 Federal Poverty Income Guidelines)) under 55 Pa. Code § 3041.107(b) (relating to availability and use of the Federal Poverty Income Guidelines). This increase is effective May 1, 2023.

Section 3041.107(b) of 55 Pa. Code requires the Department of Human Services to update the co-payment schedule in 55 Pa. Code Chapter 3041, Appendix B to reflect changes in the Federal Poverty Income Guidelines (FPIG). Effective May 1, 2023, the income guidelines for the subsidized child care program are being raised due to increases in the FPIG. Under section 408.3 of the Human Services Code (62 P.S. § 408.3), the co-payment schedule is adjusted to reflect the increases. Chapter 3041, Appendix B of 55 Pa. Code also establishes the family co-payment levels according to the family’s computed annual income and lists the weekly family co-payment based on the annual family income.

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-NOT-1574. No fiscal impact; recommends adoption.

CO-PAYMENT CHART

FAMILY CO-PAYMENT SCALE EFFECTIVE MAY 1, 2023

(BASED ON THE 2022 FEDERAL POVERTY INCOME GUIDELINES)

<i>Weekly Co-pay</i>	<i>Family Size: 1 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 2 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 3 Annual Income</i>	
\$5	Less than:	\$7,709	\$5	Less than:	\$8,110	\$5	Less than:	\$8,763
\$6	\$7,709.01	\$8,566	\$6	\$8,110.01	\$9,268	\$6	\$8,763.01	\$10,224
\$7	\$8,566.01	\$9,422	\$7	\$9,268.01	\$10,427	\$8	\$10,224.01	\$11,684
\$8	\$9,422.01	\$10,279	\$8	\$10,427.01	\$11,586	\$9	\$11,684.01	\$13,145
\$9	\$10,279.01	\$11,135	\$9	\$11,586.01	\$12,744	\$10	\$13,145.01	\$14,605
\$10	\$11,135.01	\$11,992	\$11	\$12,744.01	\$13,903	\$12	\$14,605.01	\$16,066
\$11	\$11,992.01	\$12,849	\$12	\$13,903.01	\$15,061	\$13	\$16,066.01	\$17,526
\$12	\$12,849.01	\$13,705	\$13	\$15,061.01	\$16,220	\$15	\$17,526.01	\$18,987
\$13	\$13,705.01	\$14,562	\$14	\$16,220.01	\$17,378	\$17	\$18,987.01	\$20,447
\$14	\$14,562.01	\$15,418	\$16	\$17,378.01	\$18,537	\$18	\$20,447.01	\$21,908
\$15	\$15,418.01	\$16,275	\$17	\$18,537.01	\$19,695	\$20	\$21,908.01	\$23,368
\$16	\$16,275.01	\$17,132	\$19	\$19,695.01	\$20,854	\$22	\$23,368.01	\$24,829
\$17	\$17,132.01	\$17,988	\$20	\$20,854.01	\$22,012	\$24	\$24,829.01	\$26,289
\$19	\$17,988.01	\$18,845	\$22	\$22,012.01	\$23,171	\$26	\$26,289.01	\$27,750
\$20	\$18,845.01	\$19,701	\$23	\$23,171.01	\$24,330	\$28	\$27,750.01	\$29,211
\$21	\$19,701.01	\$20,558	\$25	\$24,330.01	\$25,488	\$30	\$29,211.01	\$30,671
\$22	\$20,558.01	\$21,414	\$27	\$25,488.01	\$26,647	\$32	\$30,671.01	\$32,132
\$24	\$21,414.01	\$22,271	\$28	\$26,647.01	\$27,805	\$34	\$32,132.01	\$33,592
\$25	\$22,271.01	\$23,128	\$30	\$27,805.01	\$28,964	\$36	\$33,592.01	\$35,053
\$26	\$23,128.01	\$23,984	\$32	\$28,964.01	\$30,122	\$38	\$35,053.01	\$36,513
\$28	\$23,984.01	\$24,841	\$34	\$30,122.01	\$31,281	\$40	\$36,513.01	\$37,974
\$29	\$24,841.01	\$25,697	\$36	\$31,281.01	\$32,439	\$42	\$37,974.01	\$39,434
\$31	\$25,697.01	\$26,554	\$37	\$32,439.01	\$33,598	\$45	\$39,434.01	\$40,895

<i>Weekly Co-pay</i>	<i>Family Size: 1 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 2 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 3 Annual Income</i>	
\$32	\$26,554.01	\$27,410	\$39	\$33,598.01	\$34,757	\$47	\$40,895.01	\$42,355
\$34	\$27,410.01	\$28,267	\$41	\$34,757.01	\$35,915	\$50	\$42,355.01	\$43,816
\$35	\$28,267.01	\$29,124	\$43	\$35,915.01	\$37,074	\$52	\$43,816.01	\$45,276
\$37	\$29,124.01	\$29,980	\$45	\$37,074.01	\$38,232	\$55	\$45,276.01	\$46,737
\$38	\$29,980.01	\$30,837	\$47	\$38,232.01	\$39,391	\$57	\$46,737.01	\$48,197
\$40	\$30,837.01	\$31,693	\$50	\$39,391.01	\$40,549	\$60	\$48,197.01	\$49,658
\$42	\$31,693.01	\$32,550	\$52	\$40,549.01	\$41,708	\$63	\$49,658.01	\$51,118
\$43	\$32,550.01	\$33,406	\$54	\$41,708.01	\$42,866	\$65	\$51,118.01	\$52,579
\$45	\$33,406.01	\$34,263	\$56	\$42,866.01	\$44,025	\$68	\$52,579.01	\$54,039
\$47	\$34,263.01	\$34,737	\$58	\$44,025.01	\$45,183	\$71	\$54,039.01	\$55,500
\$49	\$34,737.01	\$35,211	\$61	\$45,183.01	\$46,342	\$74	\$55,500.01	\$56,960
\$52	\$35,211.01	\$35,684	\$63	\$46,342.01	\$46,983	\$77	\$56,960.01	\$58,421
\$54	\$35,684.01	\$36,158	\$66	\$46,983.01	\$47,624	\$80	\$58,421.01	\$59,229
\$57	\$36,158.01	\$36,632	\$70	\$47,624.01	\$48,265	\$84	\$59,229.01	\$60,037
\$59	\$36,632.01	\$37,106	\$73	\$48,265.01	\$48,906	\$88	\$60,037.01	\$60,845
\$62	\$37,106.01	\$37,580	\$76	\$48,906.01	\$49,546	\$92	\$60,845.01	\$61,653
\$64	\$37,580.01	\$38,054	\$80	\$49,546.01	\$50,187	\$96	\$61,653.01	\$62,461
\$67	\$38,054.01	\$38,528	\$83	\$50,187.01	\$50,828	\$101	\$62,461.01	\$63,269
\$70	\$38,528.01	\$39,001	\$87	\$50,828.01	\$51,469	\$105	\$63,269.01	\$64,077
\$73	\$39,001.01	\$39,475	\$91	\$51,469.01	\$52,110	\$110	\$64,077.01	\$64,885
\$75	\$39,475.01	\$39,949	\$94	\$52,110.01	\$52,751	\$114	\$64,885.01	\$65,692
\$78	\$39,949.01	\$40,423	\$98	\$52,751.01	\$53,392	\$119	\$65,692.01	\$66,500
\$81	\$40,423.01	\$40,897	\$102	\$53,392.01	\$54,033	\$124	\$66,500.01	\$67,308
\$84	\$40,897.01	\$41,371	\$106	\$54,033.01	\$54,674	\$129	\$67,308.01	\$68,116
\$87	\$41,371.01	\$41,845	\$110	\$54,674.01	\$55,315	\$134	\$68,116.01	\$68,924
\$90	\$41,845.01	\$42,318	\$114	\$55,315.01	\$55,955	\$139	\$68,924.01	\$69,732
\$93	\$42,318.01	\$42,792	\$118	\$55,955.01	\$56,596	\$144	\$69,732.01	\$70,540
\$97	\$42,792.01	\$43,266	\$122	\$56,596.01	\$57,237	\$149	\$70,540.01	\$71,348
\$100	\$43,266.01	\$43,740	\$126	\$57,237.01	\$57,878	\$154	\$71,348.01	\$72,156
	200% FPIG	\$29,160	\$131	\$57,878.01	\$58,519	\$159	\$72,156.01	\$72,964
			\$135	\$58,519.01	\$59,160	\$165	\$72,964.01	\$73,772
				200% FPIG	\$39,440	\$170	\$73,772.01	\$74,580
							200%FPIG	\$49,720

<i>Weekly Co-pay</i>	<i>Family Size: 4 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 5 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 6 Annual Income</i>	
\$5	Less than:	\$8,813	\$5	Less than:	\$8,258	\$5	Less than:	\$9,466
\$6	\$8,813.01	\$10,575	\$6	\$8,258.01	\$10,322	\$6	\$9,466.01	\$11,832
\$8	\$10,575.01	\$12,338	\$7	\$10,322.01	\$12,387	\$8	\$11,832.01	\$14,199
\$9	\$12,338.01	\$14,100	\$9	\$12,387.01	\$14,451	\$10	\$14,199.01	\$16,565
\$11	\$14,100.01	\$15,863	\$11	\$14,451.01	\$16,516	\$12	\$16,565.01	\$18,932
\$12	\$15,863.01	\$17,625	\$13	\$16,516.01	\$18,580	\$14	\$18,932.01	\$21,298
\$14	\$17,625.01	\$19,388	\$15	\$18,580.01	\$20,645	\$17	\$21,298.01	\$23,665
\$16	\$19,388.01	\$21,150	\$17	\$20,645.01	\$22,709	\$19	\$23,665.01	\$26,031
\$18	\$21,150.01	\$22,913	\$19	\$22,709.01	\$24,774	\$21	\$26,031.01	\$28,397
\$20	\$22,913.01	\$24,675	\$21	\$24,774.01	\$26,838	\$24	\$28,397.01	\$30,764
\$22	\$24,675.01	\$26,438	\$23	\$26,838.01	\$28,903	\$27	\$30,764.01	\$33,130
\$24	\$26,438.01	\$28,200	\$26	\$28,903.01	\$30,967	\$30	\$33,130.01	\$35,497

NOTICES

<i>Weekly Co-pay</i>	<i>Family Size: 4 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 5 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 6 Annual Income</i>	
\$26	\$28,200.01	\$29,963	\$28	\$30,967.01	\$33,032	\$33	\$35,497.01	\$37,863
\$29	\$29,963.01	\$31,725	\$31	\$33,032.01	\$35,096	\$36	\$37,863.01	\$40,230
\$31	\$31,725.01	\$33,488	\$34	\$35,096.01	\$37,161	\$39	\$40,230.01	\$42,596
\$33	\$33,488.01	\$35,250	\$36	\$37,161.01	\$39,225	\$42	\$42,596.01	\$44,963
\$36	\$35,250.01	\$37,013	\$39	\$39,225.01	\$41,290	\$45	\$44,963.01	\$47,329
\$38	\$37,013.01	\$38,775	\$42	\$41,290.01	\$43,354	\$48	\$47,329.01	\$49,695
\$41	\$38,775.01	\$40,538	\$45	\$43,354.01	\$45,418	\$51	\$49,695.01	\$52,062
\$43	\$40,538.01	\$42,300	\$48	\$45,418.01	\$47,483	\$55	\$52,062.01	\$54,428
\$46	\$42,300.01	\$44,063	\$51	\$47,483.01	\$49,547	\$58	\$54,428.01	\$56,795
\$49	\$44,063.01	\$45,825	\$54	\$49,547.01	\$51,612	\$62	\$56,795.01	\$59,161
\$51	\$45,825.01	\$47,588	\$57	\$51,612.01	\$53,676	\$65	\$59,161.01	\$61,528
\$54	\$47,588.01	\$49,350	\$60	\$53,676.01	\$55,741	\$69	\$61,528.01	\$63,894
\$57	\$49,350.01	\$51,113	\$63	\$55,741.01	\$57,805	\$73	\$63,894.01	\$66,261
\$60	\$51,113.01	\$52,875	\$67	\$57,805.01	\$59,870	\$76	\$66,261.01	\$68,627
\$63	\$52,875.01	\$54,638	\$70	\$59,870.01	\$61,934	\$80	\$68,627.01	\$70,994
\$66	\$54,638.01	\$56,400	\$74	\$61,934.01	\$63,999	\$84	\$70,994.01	\$73,360
\$69	\$56,400.01	\$58,163	\$77	\$63,999.01	\$66,063	\$88	\$73,360.01	\$75,726
\$72	\$58,163.01	\$59,925	\$81	\$66,063.01	\$68,128	\$93	\$75,726.01	\$78,093
\$75	\$59,925.01	\$61,688	\$85	\$68,128.01	\$70,192	\$97	\$78,093.01	\$80,459
\$79	\$61,688.01	\$63,450	\$88	\$70,192.01	\$72,257	\$101	\$80,459.01	\$82,826
\$82	\$63,450.01	\$65,213	\$92	\$72,257.01	\$74,321	\$106	\$82,826.01	\$85,192
\$86	\$65,213.01	\$66,975	\$96	\$74,321.01	\$76,386	\$110	\$85,192.01	\$87,559
\$89	\$66,975.01	\$68,738	\$100	\$76,386.01	\$78,450	\$115	\$87,559.01	\$89,925
\$93	\$68,738.01	\$70,500	\$104	\$78,450.01	\$80,515	\$119	\$89,925.01	\$92,292
\$96	\$70,500.01	\$71,475	\$108	\$80,515.01	\$82,579	\$124	\$92,292.01	\$94,658
\$101	\$71,475.01	\$72,450	\$113	\$82,579.01	\$83,721	\$129	\$94,658.01	\$95,967
\$106	\$72,450.01	\$73,425	\$118	\$83,721.01	\$84,863	\$136	\$95,967.01	\$97,276
\$111	\$73,425.01	\$74,400	\$124	\$84,863.01	\$86,005	\$142	\$97,276.01	\$98,585
\$116	\$74,400.01	\$75,375	\$130	\$86,005.01	\$87,147	\$149	\$98,585.01	\$99,894
\$122	\$75,375.01	\$76,350	\$136	\$87,147.01	\$88,289	\$156	\$99,894.01	\$101,203
\$127	\$76,350.01	\$77,325	\$142	\$88,289.01	\$89,431	\$163	\$101,203.01	\$102,512
\$132	\$77,325.01	\$78,300	\$149	\$89,431.01	\$90,573	\$170	\$102,512.01	\$103,822
\$138	\$78,300.01	\$79,275	\$155	\$90,573.01	\$91,715	\$178	\$103,822.01	\$105,131
\$144	\$79,275.01	\$80,250	\$162	\$91,715.01	\$92,857	\$185	\$105,131.01	\$106,440
\$149	\$80,250.01	\$81,225	\$168	\$92,857.01	\$93,999	\$193	\$106,440.01	\$107,749
\$155	\$81,225.01	\$82,200	\$175	\$93,999.01	\$95,141	\$201	\$107,749.01	\$109,058
\$161	\$82,200.01	\$83,175	\$182	\$95,141.01	\$96,283	\$208	\$109,058.01	\$110,367
\$167	\$83,175.01	\$84,150	\$189	\$96,283.01	\$97,425	\$216	\$110,367.01	\$111,676
\$173	\$84,150.01	\$85,125	\$196	\$97,425.01	\$98,567	\$224	\$111,676.01	\$112,985
\$180	\$85,125.01	\$86,100	\$203	\$98,567.01	\$99,710	\$233	\$112,985.01	\$114,294
\$186	\$86,100.01	\$87,075	\$210	\$99,710.01	\$100,852	\$241	\$114,294.01	\$115,603
\$192	\$87,075.01	\$88,050	\$218	\$100,852.01	\$101,994	\$250	\$115,603.01	\$116,912
\$199	\$88,050.01	\$89,025	\$225	\$101,994.01	\$103,136	\$258	\$116,912.01	\$118,221
\$205	\$89,025.01	\$90,000	\$233	\$103,136.01	\$104,278	\$267	\$118,221.01	\$119,531
	200% FPIG	\$60,000	\$241	\$104,278.01	\$105,420	\$276	\$119,531.01	\$120,840
				200% FPIG	\$70,280		200% FPIG	\$80,560

NOTICES

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<i>Weekly Co-pay</i>	<i>Family Size: 7 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 8 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 9 Annual Income</i>	
\$5	Less than:	\$10,674	\$5	Less than:	\$8,911	\$5	Less than:	\$9,817
\$7	\$10,674.01	\$13,342	\$6	\$8,911.01	\$11,882	\$6	\$9,817.01	\$13,090
\$9	\$13,342.01	\$16,011	\$8	\$11,882.01	\$14,852	\$9	\$13,090.01	\$16,362
\$11	\$16,011.01	\$18,679	\$10	\$14,852.01	\$17,822	\$11	\$16,362.01	\$19,634
\$14	\$18,679.01	\$21,347	\$13	\$17,822.01	\$20,793	\$14	\$19,634.01	\$22,907
\$16	\$21,347.01	\$24,016	\$15	\$20,793.01	\$23,763	\$17	\$22,907.01	\$26,179
\$19	\$24,016.01	\$26,684	\$18	\$23,763.01	\$26,734	\$20	\$26,179.01	\$29,451
\$21	\$26,684.01	\$29,353	\$21	\$26,734.01	\$29,704	\$23	\$29,451.01	\$32,724
\$24	\$29,353.01	\$32,021	\$24	\$29,704.01	\$32,674	\$26	\$32,724.01	\$35,996
\$27	\$32,021.01	\$34,690	\$27	\$32,674.01	\$35,645	\$30	\$35,996.01	\$39,269
\$30	\$34,690.01	\$37,358	\$30	\$35,645.01	\$38,615	\$33	\$39,269.01	\$42,541
\$33	\$37,358.01	\$40,026	\$34	\$38,615.01	\$41,586	\$37	\$42,541.01	\$45,813
\$37	\$40,026.01	\$42,695	\$37	\$41,586.01	\$44,556	\$41	\$45,813.01	\$49,086
\$40	\$42,695.01	\$45,363	\$41	\$44,556.01	\$47,526	\$45	\$49,086.01	\$52,358
\$44	\$45,363.01	\$48,032	\$45	\$47,526.01	\$50,497	\$49	\$52,358.01	\$55,630
\$47	\$48,032.01	\$50,700	\$49	\$50,497.01	\$53,467	\$53	\$55,630.01	\$58,903
\$51	\$50,700.01	\$53,369	\$52	\$53,467.01	\$56,438	\$58	\$58,903.01	\$62,175
\$54	\$53,369.01	\$56,037	\$56	\$56,438.01	\$59,408	\$62	\$62,175.01	\$65,448
\$58	\$56,037.01	\$58,705	\$60	\$59,408.01	\$62,378	\$66	\$65,448.01	\$68,720
\$62	\$58,705.01	\$61,374	\$64	\$62,378.01	\$65,349	\$71	\$68,720.01	\$71,992
\$65	\$61,374.01	\$64,042	\$69	\$65,349.01	\$68,319	\$76	\$71,992.01	\$75,265
\$69	\$64,042.01	\$66,711	\$73	\$68,319.01	\$71,290	\$80	\$75,265.01	\$78,537
\$73	\$66,711.01	\$69,379	\$77	\$71,290.01	\$74,260	\$85	\$78,537.01	\$81,809
\$78	\$69,379.01	\$72,047	\$82	\$74,260.01	\$77,230	\$90	\$81,809.01	\$85,082
\$82	\$72,047.01	\$74,716	\$86	\$77,230.01	\$80,201	\$95	\$85,082.01	\$88,354
\$86	\$74,716.01	\$77,384	\$91	\$80,201.01	\$83,171	\$100	\$88,354.01	\$91,627
\$91	\$77,384.01	\$80,053	\$96	\$83,171.01	\$86,142	\$106	\$91,627.01	\$94,899
\$95	\$80,053.01	\$82,721	\$101	\$86,142.01	\$89,112	\$111	\$94,899.01	\$98,171
\$100	\$82,721.01	\$85,390	\$106	\$89,112.01	\$92,082	\$117	\$98,171.01	\$101,444
\$104	\$85,390.01	\$88,058	\$111	\$92,082.01	\$95,053	\$122	\$101,444.01	\$104,716
\$109	\$88,058.01	\$90,726	\$116	\$95,053.01	\$98,023	\$128	\$104,716.01	\$107,988
\$114	\$90,726.01	\$93,395	\$122	\$98,023.01	\$100,994	\$134	\$107,988.01	\$111,261
\$119	\$93,395.01	\$96,063	\$127	\$100,994.01	\$103,964	\$140	\$111,261.01	\$114,533
\$124	\$96,063.01	\$98,732	\$133	\$103,964.01	\$106,934	\$146	\$114,533.01	\$117,806
\$129	\$98,732.01	\$101,400	\$138	\$106,934.01	\$109,905	\$152	\$117,806.01	\$121,078
\$135	\$101,400.01	\$104,069	\$144	\$109,905.01	\$112,875	\$159	\$121,078.01	\$124,350
\$140	\$104,069.01	\$106,737	\$150	\$112,875.01	\$115,846	\$165	\$124,350.01	\$127,623
\$146	\$106,737.01	\$108,213	\$156	\$115,846.01	\$118,816	\$172	\$127,623.01	\$130,895
\$153	\$108,213.01	\$109,689	\$162	\$118,816.01	\$120,459	\$179	\$130,895.01	\$132,705
\$161	\$109,689.01	\$111,166	\$170	\$120,459.01	\$122,102	\$188	\$132,705.01	\$134,515
\$168	\$111,166.01	\$112,642	\$179	\$122,102.01	\$123,746	\$197	\$134,515.01	\$136,326
\$176	\$112,642.01	\$114,118	\$187	\$123,746.01	\$125,389	\$206	\$136,326.01	\$138,136
\$184	\$114,118.01	\$115,594	\$196	\$125,389.01	\$127,032	\$216	\$138,136.01	\$139,946
\$192	\$115,594.01	\$117,070	\$205	\$127,032.01	\$128,675	\$226	\$139,946.01	\$141,756
\$200	\$117,070.01	\$118,546	\$214	\$128,675.01	\$130,318	\$236	\$141,756.01	\$143,567
\$209	\$118,546.01	\$120,023	\$223	\$130,318.01	\$131,961	\$246	\$143,567.01	\$145,377
\$217	\$120,023.01	\$121,499	\$233	\$131,961.01	\$133,605	\$256	\$145,377.01	\$147,187

NOTICES

<i>Weekly Co-pay</i>	<i>Family Size: 7 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 8 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 9 Annual Income</i>	
\$226	\$121,499.01	\$122,975	\$242	\$133,605.01	\$135,248	\$267	\$147,187.01	\$148,997
\$235	\$122,975.01	\$124,451	\$252	\$135,248.01	\$136,891	\$277	\$148,997.01	\$150,807
\$244	\$124,451.01	\$125,927	\$262	\$136,891.01	\$138,534	\$288	\$150,807.01	\$152,618
\$253	\$125,927.01	\$127,404	\$272	\$138,534.01	\$140,177	\$299	\$152,618.01	\$154,428
\$262	\$127,404.01	\$128,880	\$282	\$140,177.01	\$141,820	\$310	\$154,428.01	\$156,238
\$272	\$128,880.01	\$130,356	\$292	\$141,820.01	\$143,464	\$322	\$156,238.01	\$158,048
\$281	\$130,356.01	\$131,832	\$303	\$143,464.01	\$145,107	\$333	\$158,048.01	\$159,858
\$291	\$131,832.01	\$133,308	\$313	\$145,107.01	\$146,750	\$345	\$159,858.01	\$161,669
\$301	\$133,308.01	\$134,784	\$324	\$146,750.01	\$148,393	\$357	\$161,669.01	\$163,479
\$311	\$134,784.01	\$136,261	\$335	\$148,393.01	\$150,036	\$369	\$163,479.01	\$165,289
	200% FPIG	\$90,840	\$346	\$150,036.01	\$151,679	\$381	\$165,289.01	\$167,099
				200% FPIG	\$101,120		200% FPIG	\$111,400

<i>Weekly Co-pay</i>	<i>Family Size: 10 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 11 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 12 Annual Income</i>	
\$5	Less than:	\$10,723	\$5	Less than:	\$11,629	\$5	Less than:	\$12,535
\$7	\$10,723.01	\$14,297	\$7	\$11,629.01	\$15,505	\$8	\$12,535.01	\$16,713
\$10	\$14,297.01	\$17,872	\$10	\$15,505.01	\$19,382	\$11	\$16,713.01	\$20,892
\$12	\$17,872.01	\$21,446	\$13	\$19,382.01	\$23,258	\$14	\$20,892.01	\$25,070
\$15	\$21,446.01	\$25,020	\$17	\$23,258.01	\$27,134	\$18	\$25,070.01	\$29,248
\$18	\$25,020.01	\$28,595	\$20	\$27,134.01	\$31,011	\$22	\$29,248.01	\$33,426
\$22	\$28,595.01	\$32,169	\$24	\$31,011.01	\$34,887	\$25	\$33,426.01	\$37,605
\$25	\$32,169.01	\$35,744	\$27	\$34,887.01	\$38,763	\$29	\$37,605.01	\$41,783
\$29	\$35,744.01	\$39,318	\$31	\$38,763.01	\$42,640	\$34	\$41,783.01	\$45,961
\$32	\$39,318.01	\$42,892	\$35	\$42,640.01	\$46,516	\$38	\$45,961.01	\$50,140
\$36	\$42,892.01	\$46,467	\$39	\$46,516.01	\$50,392	\$43	\$50,140.01	\$54,318
\$40	\$46,467.01	\$50,041	\$44	\$50,392.01	\$54,269	\$47	\$54,318.01	\$58,496
\$45	\$50,041.01	\$53,615	\$48	\$54,269.01	\$58,145	\$52	\$58,496.01	\$62,675
\$49	\$53,615.01	\$57,190	\$53	\$58,145.01	\$62,021	\$57	\$62,675.01	\$66,853
\$54	\$57,190.01	\$60,764	\$58	\$62,021.01	\$65,898	\$63	\$66,853.01	\$71,031
\$58	\$60,764.01	\$64,338	\$63	\$65,898.01	\$69,774	\$68	\$71,031.01	\$75,209
\$63	\$64,338.01	\$67,913	\$68	\$69,774.01	\$73,650	\$74	\$75,209.01	\$79,388
\$68	\$67,913.01	\$71,487	\$73	\$73,650.01	\$77,527	\$79	\$79,388.01	\$83,566
\$72	\$71,487.01	\$75,061	\$79	\$77,527.01	\$81,403	\$85	\$83,566.01	\$87,744
\$77	\$75,061.01	\$78,636	\$84	\$81,403.01	\$85,279	\$91	\$87,744.01	\$91,923
\$82	\$78,636.01	\$82,210	\$89	\$85,279.01	\$89,155	\$96	\$91,923.01	\$96,101
\$88	\$82,210.01	\$85,784	\$95	\$89,155.01	\$93,032	\$102	\$96,101.01	\$100,279
\$93	\$85,784.01	\$89,359	\$101	\$93,032.01	\$96,908	\$109	\$100,279.01	\$104,458
\$98	\$89,359.01	\$92,933	\$107	\$96,908.01	\$100,784	\$115	\$104,458.01	\$108,636
\$104	\$92,933.01	\$96,507	\$113	\$100,784.01	\$104,661	\$122	\$108,636.01	\$112,814
\$110	\$96,507.01	\$100,082	\$119	\$104,661.01	\$108,537	\$128	\$112,814.01	\$116,992
\$115	\$100,082.01	\$103,656	\$125	\$108,537.01	\$112,413	\$135	\$116,992.01	\$121,171
\$121	\$103,656.01	\$107,231	\$132	\$112,413.01	\$116,290	\$142	\$121,171.01	\$125,349
\$127	\$107,231.01	\$110,805	\$138	\$116,290.01	\$120,166	\$149	\$125,349.01	\$129,527
\$134	\$110,805.01	\$114,379	\$145	\$120,166.01	\$124,042	\$156	\$129,527.01	\$133,706
\$140	\$114,379.01	\$117,954	\$152	\$124,042.01	\$127,919	\$164	\$133,706.01	\$137,884
\$146	\$117,954.01	\$121,528	\$159	\$127,919.01	\$131,795	\$171	\$137,884.01	\$142,062
\$153	\$121,528.01	\$125,102	\$166	\$131,795.01	\$135,671	\$179	\$142,062.01	\$146,241

NOTICES

2495

<i>Weekly Co-pay</i>	<i>Family Size: 10 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 11 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 12 Annual Income</i>	
\$160	\$125,102.01	\$128,677	\$173	\$135,671.01	\$139,548	\$187	\$146,241.01	\$150,419
\$166	\$128,677.01	\$132,251	\$181	\$139,548.01	\$143,424	\$195	\$150,419.01	\$154,597
\$173	\$132,251.01	\$135,825	\$188	\$143,424.01	\$147,300	\$203	\$154,597.01	\$158,775
\$180	\$135,825.01	\$139,400	\$196	\$147,300.01	\$151,177	\$211	\$158,775.01	\$162,954
\$188	\$139,400.01	\$142,974	\$204	\$151,177.01	\$155,053	\$219	\$162,954.01	\$167,132
\$195	\$142,974.01	\$144,951	\$212	\$155,053.01	\$157,197	\$228	\$167,132.01	\$169,443
\$205	\$144,951.01	\$146,929	\$222	\$157,197.01	\$159,342	\$240	\$169,443.01	\$171,755
\$215	\$146,929.01	\$148,906	\$233	\$159,342.01	\$161,486	\$252	\$171,755.01	\$174,066
\$225	\$148,906.01	\$150,883	\$245	\$161,486.01	\$163,630	\$264	\$174,066.01	\$176,377
\$236	\$150,883.01	\$152,860	\$256	\$163,630.01	\$165,775	\$276	\$176,377.01	\$178,689
\$247	\$152,860.01	\$154,838	\$267	\$165,775.01	\$167,919	\$288	\$178,689.01	\$181,000
\$257	\$154,838.01	\$156,815	\$279	\$167,919.01	\$170,063	\$301	\$181,000.01	\$183,311
\$269	\$156,815.01	\$158,792	\$291	\$170,063.01	\$172,207	\$314	\$183,311.01	\$185,623
\$280	\$158,792.01	\$160,769	\$303	\$172,207.01	\$174,352	\$327	\$185,623.01	\$187,934
\$291	\$160,769.01	\$162,747	\$316	\$174,352.01	\$176,496	\$340	\$187,934.01	\$190,246
\$303	\$162,747.01	\$164,724	\$329	\$176,496.01	\$178,640	\$354	\$190,246.01	\$192,557
\$315	\$164,724.01	\$166,701	\$341	\$178,640.01	\$180,785	\$368	\$192,557.01	\$194,868
\$327	\$166,701.01	\$168,678	\$354	\$180,785.01	\$182,929	\$382	\$194,868.01	\$197,180
\$339	\$168,678.01	\$170,656	\$368	\$182,929.01	\$185,073	\$396	\$197,180.01	\$199,491
\$352	\$170,656.01	\$172,633	\$381	\$185,073.01	\$187,218	\$411	\$199,491.01	\$201,802
\$364	\$172,633.01	\$174,610	\$395	\$187,218.01	\$189,362	\$426	\$201,802.01	\$204,114
\$377	\$174,610.01	\$176,588	\$409	\$189,362.01	\$191,506	\$441	\$204,114.01	\$206,425
\$390	\$176,588.01	\$178,565	\$423	\$191,506.01	\$193,651	\$456	\$206,425.01	\$208,736
\$403	\$178,565.01	\$180,542	\$437	\$193,651.01	\$195,795	\$471	\$208,736.01	\$211,048
\$417	\$180,542.01	\$182,519	\$452	\$195,795.01	\$197,939	\$487	\$211,048.01	\$213,359
	200% FPIG	\$121,680		200% FPIG	\$131,960		200% FPIG	\$142,240

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 14 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 15 Annual Income</i>	
\$5	Less than:	\$8,961	\$5	Less than:	\$9,565	\$5	Less than:	\$10,168
\$6	\$8,961.01	\$13,441	\$6	\$9,565.01	\$14,347	\$6	\$10,168.01	\$15,253
\$9	\$13,441.01	\$17,921	\$9	\$14,347.01	\$19,129	\$10	\$15,253.01	\$20,337
\$12	\$17,921.01	\$22,401	\$13	\$19,129.01	\$23,911	\$14	\$20,337.01	\$25,421
\$15	\$22,401.01	\$26,882	\$16	\$23,911.01	\$28,694	\$18	\$25,421.01	\$30,505
\$19	\$26,882.01	\$31,362	\$20	\$28,694.01	\$33,476	\$22	\$30,505.01	\$35,590
\$23	\$31,362.01	\$35,842	\$25	\$33,476.01	\$38,258	\$26	\$35,590.01	\$40,674
\$27	\$35,842.01	\$40,322	\$29	\$38,258.01	\$43,040	\$31	\$40,674.01	\$45,758
\$31	\$40,322.01	\$44,803	\$34	\$43,040.01	\$47,823	\$36	\$45,758.01	\$50,842
\$36	\$44,803.01	\$49,283	\$38	\$47,823.01	\$52,605	\$41	\$50,842.01	\$55,926
\$41	\$49,283.01	\$53,763	\$43	\$52,605.01	\$57,387	\$46	\$55,926.01	\$61,011
\$46	\$53,763.01	\$58,244	\$49	\$57,387.01	\$62,169	\$52	\$61,011.01	\$66,095
\$51	\$58,244.01	\$62,724	\$54	\$62,169.01	\$66,952	\$58	\$66,095.01	\$71,179
\$56	\$62,724.01	\$67,204	\$60	\$66,952.01	\$71,734	\$64	\$71,179.01	\$76,263
\$62	\$67,204.01	\$71,684	\$66	\$71,734.01	\$76,516	\$70	\$76,263.01	\$81,348
\$67	\$71,684.01	\$76,165	\$72	\$76,516.01	\$81,298	\$76	\$81,348.01	\$86,432
\$73	\$76,165.01	\$80,645	\$78	\$81,298.01	\$86,081	\$83	\$86,432.01	\$91,516
\$79	\$80,645.01	\$85,125	\$84	\$86,081.01	\$90,863	\$90	\$91,516.01	\$96,600
\$85	\$85,125.01	\$89,606	\$91	\$90,863.01	\$95,645	\$96	\$96,600.01	\$101,685

NOTICES

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 14 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 15 Annual Income</i>	
\$91	\$89,606.01	\$94,086	\$97	\$95,645.01	\$100,427	\$103	\$101,685.01	\$106,769
\$97	\$94,086.01	\$98,566	\$104	\$100,427.01	\$105,210	\$110	\$106,769.01	\$111,853
\$103	\$98,566.01	\$103,046	\$110	\$105,210.01	\$109,992	\$117	\$111,853.01	\$116,937
\$110	\$103,046.01	\$107,527	\$117	\$109,992.01	\$114,774	\$125	\$116,937.01	\$122,021
\$117	\$107,527.01	\$112,007	\$124	\$114,774.01	\$119,556	\$132	\$122,021.01	\$127,106
\$123	\$112,007.01	\$116,487	\$132	\$119,556.01	\$124,339	\$140	\$127,106.01	\$132,190
\$130	\$116,487.01	\$120,967	\$139	\$124,339.01	\$129,121	\$148	\$132,190.01	\$137,274
\$137	\$120,967.01	\$125,448	\$147	\$129,121.01	\$133,903	\$156	\$137,274.01	\$142,358
\$145	\$125,448.01	\$129,928	\$155	\$133,903.01	\$138,685	\$164	\$142,358.01	\$147,443
\$152	\$129,928.01	\$134,408	\$162	\$138,685.01	\$143,468	\$173	\$147,443.01	\$152,527
\$160	\$134,408.01	\$138,889	\$171	\$143,468.01	\$148,250	\$181	\$152,527.01	\$157,611
\$168	\$138,889.01	\$143,369	\$179	\$148,250.01	\$153,032	\$190	\$157,611.01	\$162,695
\$175	\$143,369.01	\$147,849	\$187	\$153,032.01	\$157,814	\$199	\$162,695.01	\$167,779
\$184	\$147,849.01	\$152,329	\$196	\$157,814.01	\$162,597	\$208	\$167,779.01	\$172,864
\$192	\$152,329.01	\$156,810	\$205	\$162,597.01	\$167,379	\$218	\$172,864.01	\$177,948
\$200	\$156,810.01	\$161,290	\$214	\$167,379.01	\$172,161	\$227	\$177,948.01	\$183,032
\$209	\$161,290.01	\$165,770	\$223	\$172,161.01	\$176,943	\$237	\$183,032.01	\$188,116
\$217	\$165,770.01	\$170,250	\$232	\$176,943.01	\$181,726	\$247	\$188,116.01	\$193,201
\$226	\$170,250.01	\$174,731	\$241	\$181,726.01	\$186,508	\$257	\$193,201.01	\$198,285
\$235	\$174,731.01	\$179,211	\$251	\$186,508.01	\$191,290	\$267	\$198,285.01	\$203,369
\$245	\$179,211.01	\$181,689	\$261	\$191,290.01	\$193,935	\$278	\$203,369.01	\$206,181
\$257	\$181,689.01	\$184,168	\$274	\$193,935.01	\$196,581	\$292	\$206,181.01	\$208,994
\$270	\$184,168.01	\$186,646	\$288	\$196,581.01	\$199,226	\$306	\$208,994.01	\$211,806
\$283	\$186,646.01	\$189,125	\$302	\$199,226.01	\$201,872	\$321	\$211,806.01	\$214,619
\$296	\$189,125.01	\$191,603	\$316	\$201,872.01	\$204,517	\$336	\$214,619.01	\$217,431
\$309	\$191,603.01	\$194,081	\$330	\$204,517.01	\$207,163	\$351	\$217,431.01	\$220,244
\$323	\$194,081.01	\$196,560	\$345	\$207,163.01	\$209,808	\$366	\$220,244.01	\$223,056
\$337	\$196,560.01	\$199,038	\$359	\$209,808.01	\$212,454	\$382	\$223,056.01	\$225,869
\$351	\$199,038.01	\$201,517	\$374	\$212,454.01	\$215,099	\$398	\$225,869.01	\$228,681
\$365	\$201,517.01	\$203,995	\$390	\$215,099.01	\$217,744	\$414	\$228,681.01	\$231,494
\$380	\$203,995.01	\$206,473	\$405	\$217,744.01	\$220,390	\$431	\$231,494.01	\$234,306
\$395	\$206,473.01	\$208,952	\$421	\$220,390.01	\$223,035	\$448	\$234,306.01	\$237,119
\$410	\$208,952.01	\$211,430	\$437	\$223,035.01	\$225,681	\$465	\$237,119.01	\$239,931
\$425	\$211,430.01	\$213,909	\$454	\$225,681.01	\$228,326	\$482	\$239,931.01	\$242,744
\$441	\$213,909.01	\$216,387	\$470	\$228,326.01	\$230,972	\$500	\$242,744.01	\$245,556
\$456	\$216,387.01	\$218,865	\$487	\$230,972.01	\$233,617	\$518	\$245,556.01	\$248,369
\$473	\$218,865.01	\$221,344	\$504	\$233,617.01	\$236,263	\$536	\$248,369.01	\$251,181
\$489	\$221,344.01	\$223,822	\$522	\$236,263.01	\$238,908	\$555	\$251,181.01	\$253,994
\$505	\$223,822.01	\$226,301	\$539	\$238,908.01	\$241,554	\$574	\$253,994.01	\$256,806
\$522	\$226,301.01	\$228,779	\$557	\$241,554.01	\$244,199	\$593	\$256,806.01	\$259,619
	200% FPIG	\$152,520		200% FPIG	\$162,800		200% FPIG	\$173,080

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 17 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 18 Annual Income</i>	
\$5	Less than:	\$10,772	\$5	Less than:	\$11,376	\$5	Less than:	\$11,980
\$7	\$10,772.01	\$16,159	\$7	\$11,376.01	\$17,065	\$7	\$11,980.01	\$17,970
\$10	\$16,159.01	\$21,545	\$11	\$17,065.01	\$22,753	\$12	\$17,970.01	\$23,961
\$14	\$21,545.01	\$26,931	\$15	\$22,753.01	\$28,441	\$16	\$23,961.01	\$29,951

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 17 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 18 Annual Income</i>	
\$19	\$26,931.01	\$32,317	\$20	\$28,441.01	\$34,129	\$21	\$29,951.01	\$35,941
\$23	\$32,317.01	\$37,703	\$24	\$34,129.01	\$39,817	\$26	\$35,941.01	\$41,931
\$28	\$37,703.01	\$43,090	\$29	\$39,817.01	\$45,505	\$31	\$41,931.01	\$47,921
\$33	\$43,090.01	\$48,476	\$34	\$45,505.01	\$51,194	\$36	\$47,921.01	\$53,911
\$38	\$48,476.01	\$53,862	\$40	\$51,194.01	\$56,882	\$42	\$53,911.01	\$59,902
\$43	\$53,862.01	\$59,248	\$46	\$56,882.01	\$62,570	\$48	\$59,902.01	\$65,892
\$49	\$59,248.01	\$64,634	\$52	\$62,570.01	\$68,258	\$54	\$65,892.01	\$71,882
\$55	\$64,634.01	\$70,021	\$58	\$68,258.01	\$73,946	\$61	\$71,882.01	\$77,872
\$61	\$70,021.01	\$75,407	\$64	\$73,946.01	\$79,634	\$68	\$77,872.01	\$83,862
\$67	\$75,407.01	\$80,793	\$71	\$79,634.01	\$85,323	\$75	\$83,862.01	\$89,852
\$74	\$80,793.01	\$86,179	\$78	\$85,323.01	\$91,011	\$82	\$89,852.01	\$95,842
\$81	\$86,179.01	\$91,565	\$85	\$91,011.01	\$96,699	\$90	\$95,842.01	\$101,833
\$88	\$91,565.01	\$96,952	\$93	\$96,699.01	\$102,387	\$98	\$101,833.01	\$107,823
\$95	\$96,952.01	\$102,338	\$100	\$102,387.01	\$108,075	\$106	\$107,823.01	\$113,813
\$102	\$102,338.01	\$107,724	\$108	\$108,075.01	\$113,764	\$113	\$113,813.01	\$119,803
\$109	\$107,724.01	\$113,110	\$115	\$113,764.01	\$119,452	\$121	\$119,803.01	\$125,793
\$117	\$113,110.01	\$118,496	\$123	\$119,452.01	\$125,140	\$130	\$125,793.01	\$131,783
\$124	\$118,496.01	\$123,883	\$131	\$125,140.01	\$130,828	\$138	\$131,783.01	\$137,773
\$132	\$123,883.01	\$129,269	\$140	\$130,828.01	\$136,516	\$147	\$137,773.01	\$143,764
\$140	\$129,269.01	\$134,655	\$148	\$136,516.01	\$142,204	\$156	\$143,764.01	\$149,754
\$148	\$134,655.01	\$140,041	\$157	\$142,204.01	\$147,893	\$165	\$149,754.01	\$155,744
\$157	\$140,041.01	\$145,427	\$165	\$147,893.01	\$153,581	\$174	\$155,744.01	\$161,734
\$165	\$145,427.01	\$150,814	\$175	\$153,581.01	\$159,269	\$184	\$161,734.01	\$167,724
\$174	\$150,814.01	\$156,200	\$184	\$159,269.01	\$164,957	\$194	\$167,724.01	\$173,714
\$183	\$156,200.01	\$161,586	\$193	\$164,957.01	\$170,645	\$203	\$173,714.01	\$179,705
\$192	\$161,586.01	\$166,972	\$203	\$170,645.01	\$176,333	\$214	\$179,705.01	\$185,695
\$201	\$166,972.01	\$172,358	\$213	\$176,333.01	\$182,022	\$224	\$185,695.01	\$191,685
\$211	\$172,358.01	\$177,745	\$223	\$182,022.01	\$187,710	\$235	\$191,685.01	\$197,675
\$221	\$177,745.01	\$183,131	\$233	\$187,710.01	\$193,398	\$245	\$197,675.01	\$203,665
\$231	\$183,131.01	\$188,517	\$243	\$193,398.01	\$199,086	\$256	\$203,665.01	\$209,655
\$241	\$188,517.01	\$193,903	\$254	\$199,086.01	\$204,774	\$268	\$209,655.01	\$215,645
\$251	\$193,903.01	\$199,289	\$265	\$204,774.01	\$210,462	\$279	\$215,645.01	\$221,636
\$261	\$199,289.01	\$204,676	\$276	\$210,462.01	\$216,151	\$291	\$221,636.01	\$227,626
\$272	\$204,676.01	\$210,062	\$287	\$216,151.01	\$221,839	\$302	\$227,626.01	\$233,616
\$283	\$210,062.01	\$215,448	\$299	\$221,839.01	\$227,527	\$314	\$233,616.01	\$239,606
\$294	\$215,448.01	\$218,428	\$311	\$227,527.01	\$230,674	\$327	\$239,606.01	\$242,920
\$309	\$218,428.01	\$221,407	\$326	\$230,674.01	\$233,820	\$344	\$242,920.01	\$246,233
\$324	\$221,407.01	\$224,387	\$342	\$233,820.01	\$236,967	\$361	\$246,233.01	\$249,547
\$340	\$224,387.01	\$227,366	\$359	\$236,967.01	\$240,113	\$378	\$249,547.01	\$252,861
\$356	\$227,366.01	\$230,346	\$375	\$240,113.01	\$243,260	\$395	\$252,861.01	\$256,175
\$372	\$230,346.01	\$233,325	\$392	\$243,260.01	\$246,407	\$413	\$256,175.01	\$259,488
\$388	\$233,325.01	\$236,305	\$410	\$246,407.01	\$249,553	\$432	\$259,488.01	\$262,802
\$405	\$236,305.01	\$239,284	\$427	\$249,553.01	\$252,700	\$450	\$262,802.01	\$266,116
\$422	\$239,284.01	\$242,264	\$445	\$252,700.01	\$255,846	\$469	\$266,116.01	\$269,429
\$439	\$242,264.01	\$245,243	\$464	\$255,846.01	\$258,993	\$488	\$269,429.01	\$272,743
\$456	\$245,243.01	\$248,223	\$482	\$258,993.01	\$262,140	\$508	\$272,743.01	\$276,057
\$474	\$248,223.01	\$251,203	\$501	\$262,140.01	\$265,286	\$528	\$276,057.01	\$279,370

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 17 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 18 Annual Income</i>	
\$492	\$251,203.01	\$254,182	\$520	\$265,286.01	\$268,433	\$548	\$279,370.01	\$282,684
\$511	\$254,182.01	\$257,162	\$540	\$268,433.01	\$271,579	\$568	\$282,684.01	\$285,998
\$530	\$257,162.01	\$260,141	\$559	\$271,579.01	\$274,726	\$589	\$285,998.01	\$289,312
\$549	\$260,141.01	\$263,121	\$579	\$274,726.01	\$277,873	\$610	\$289,312.01	\$292,625
\$568	\$263,121.01	\$266,100	\$600	\$277,873.01	\$281,019	\$632	\$292,625.01	\$295,939
\$588	\$266,100.01	\$269,080	\$621	\$281,019.01	\$284,166	\$654	\$295,939.01	\$299,253
\$608	\$269,080.01	\$272,059	\$642	\$284,166.01	\$287,312	\$676	\$299,253.01	\$302,566
\$628	\$272,059.01	\$275,039	\$663	\$287,312.01	\$290,459	\$698	\$302,566.01	\$305,880
	200% FPIG	\$183,360		200% FPIG	\$193,640		200% FPIG	\$203,920

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 20 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 21 Annual Income</i>	
\$5	Less than:	\$12,584	\$5	Less than:	\$13,188	\$5	Less than:	\$13,792
\$8	\$12,584.01	\$18,876	\$8	\$13,188.01	\$19,782	\$9	\$13,792.01	\$20,688
\$12	\$18,876.01	\$25,169	\$13	\$19,782.01	\$26,376	\$13	\$20,688.01	\$27,584
\$17	\$25,169.01	\$31,461	\$18	\$26,376.01	\$32,971	\$18	\$27,584.01	\$34,480
\$22	\$31,461.01	\$37,753	\$23	\$32,971.01	\$39,565	\$24	\$34,480.01	\$41,376
\$27	\$37,753.01	\$44,045	\$28	\$39,565.01	\$46,159	\$29	\$41,376.01	\$48,273
\$32	\$44,045.01	\$50,337	\$34	\$46,159.01	\$52,753	\$35	\$48,273.01	\$55,169
\$38	\$50,337.01	\$56,629	\$40	\$52,753.01	\$59,347	\$42	\$55,169.01	\$62,065
\$44	\$56,629.01	\$62,921	\$46	\$59,347.01	\$65,941	\$48	\$62,065.01	\$68,961
\$51	\$62,921.01	\$69,213	\$53	\$65,941.01	\$72,535	\$55	\$68,961.01	\$75,857
\$57	\$69,213.01	\$75,506	\$60	\$72,535.01	\$79,129	\$63	\$75,857.01	\$82,753
\$64	\$75,506.01	\$81,798	\$67	\$79,129.01	\$85,723	\$70	\$82,753.01	\$89,649
\$71	\$81,798.01	\$88,090	\$75	\$85,723.01	\$92,317	\$78	\$89,649.01	\$96,545
\$79	\$88,090.01	\$94,382	\$83	\$92,317.01	\$98,912	\$86	\$96,545.01	\$103,441
\$86	\$94,382.01	\$100,674	\$91	\$98,912.01	\$105,506	\$95	\$103,441.01	\$110,337
\$95	\$100,674.01	\$106,966	\$99	\$105,506.01	\$112,100	\$104	\$110,337.01	\$117,233
\$103	\$106,966.01	\$113,258	\$108	\$112,100.01	\$118,694	\$113	\$117,233.01	\$124,129
\$111	\$113,258.01	\$119,550	\$116	\$118,694.01	\$125,288	\$122	\$124,129.01	\$131,025
\$119	\$119,550.01	\$125,843	\$125	\$125,288.01	\$131,882	\$131	\$131,025.01	\$137,922
\$128	\$125,843.01	\$132,135	\$134	\$131,882.01	\$138,476	\$140	\$137,922.01	\$144,818
\$136	\$132,135.01	\$138,427	\$143	\$138,476.01	\$145,070	\$149	\$144,818.01	\$151,714
\$145	\$138,427.01	\$144,719	\$152	\$145,070.01	\$151,664	\$159	\$151,714.01	\$158,610
\$154	\$144,719.01	\$151,011	\$162	\$151,664.01	\$158,258	\$169	\$158,610.01	\$165,506
\$164	\$151,011.01	\$157,303	\$172	\$158,258.01	\$164,853	\$179	\$165,506.01	\$172,402
\$173	\$157,303.01	\$163,595	\$182	\$164,853.01	\$171,447	\$190	\$172,402.01	\$179,298
\$183	\$163,595.01	\$169,887	\$192	\$171,447.01	\$178,041	\$201	\$179,298.01	\$186,194
\$193	\$169,887.01	\$176,180	\$202	\$178,041.01	\$184,635	\$212	\$186,194.01	\$193,090
\$203	\$176,180.01	\$182,472	\$213	\$184,635.01	\$191,229	\$223	\$193,090.01	\$199,986
\$214	\$182,472.01	\$188,764	\$224	\$191,229.01	\$197,823	\$234	\$199,986.01	\$206,882
\$224	\$188,764.01	\$195,056	\$235	\$197,823.01	\$204,417	\$246	\$206,882.01	\$213,778
\$235	\$195,056.01	\$201,348	\$247	\$204,417.01	\$211,011	\$258	\$213,778.01	\$220,674
\$246	\$201,348.01	\$207,640	\$258	\$211,011.01	\$217,605	\$270	\$220,674.01	\$227,570
\$258	\$207,640.01	\$213,932	\$270	\$217,605.01	\$224,199	\$282	\$227,570.01	\$234,467
\$269	\$213,932.01	\$220,224	\$282	\$224,199.01	\$230,794	\$295	\$234,467.01	\$241,363
\$281	\$220,224.01	\$226,517	\$295	\$230,794.01	\$237,388	\$308	\$241,363.01	\$248,259
\$293	\$226,517.01	\$232,809	\$307	\$237,388.01	\$243,982	\$321	\$248,259.01	\$255,155

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 20 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 21 Annual Income</i>	
\$305	\$232,809.01	\$239,101	\$320	\$243,982.01	\$250,576	\$335	\$255,155.01	\$262,051
\$318	\$239,101.01	\$245,393	\$333	\$250,576.01	\$257,170	\$348	\$262,051.01	\$268,947
\$330	\$245,393.01	\$251,685	\$346	\$257,170.01	\$263,764	\$362	\$268,947.01	\$275,843
\$344	\$251,685.01	\$255,166	\$360	\$263,764.01	\$267,412	\$377	\$275,843.01	\$279,658
\$361	\$255,166.01	\$258,646	\$378	\$267,412.01	\$271,060	\$396	\$279,658.01	\$283,473
\$379	\$258,646.01	\$262,127	\$397	\$271,060.01	\$274,707	\$415	\$283,473.01	\$287,287
\$397	\$262,127.01	\$265,608	\$416	\$274,707.01	\$278,355	\$435	\$287,287.01	\$291,102
\$415	\$265,608.01	\$269,089	\$435	\$278,355.01	\$282,003	\$455	\$291,102.01	\$294,917
\$434	\$269,089.01	\$272,569	\$455	\$282,003.01	\$285,651	\$476	\$294,917.01	\$298,732
\$453	\$272,569.01	\$276,050	\$475	\$285,651.01	\$289,298	\$497	\$298,732.01	\$302,547
\$473	\$276,050.01	\$279,531	\$495	\$289,298.01	\$292,946	\$518	\$302,547.01	\$306,362
\$493	\$279,531.01	\$283,011	\$516	\$292,946.01	\$296,594	\$540	\$306,362.01	\$310,176
\$513	\$283,011.01	\$286,492	\$537	\$296,594.01	\$300,242	\$562	\$310,176.01	\$313,991
\$533	\$286,492.01	\$289,973	\$559	\$300,242.01	\$303,889	\$584	\$313,991.01	\$317,806
\$554	\$289,973.01	\$293,453	\$581	\$303,889.01	\$307,537	\$607	\$317,806.01	\$321,621
\$575	\$293,453.01	\$296,934	\$603	\$307,537.01	\$311,185	\$631	\$321,621.01	\$325,436
\$597	\$296,934.01	\$300,415	\$626	\$311,185.01	\$314,833	\$654	\$325,436.01	\$329,250
\$619	\$300,415.01	\$303,896	\$648	\$314,833.01	\$318,481	\$678	\$329,250.01	\$333,065
\$641	\$303,896.01	\$307,376	\$672	\$318,481.01	\$322,128	\$703	\$333,065.01	\$336,880
\$664	\$307,376.01	\$310,857	\$695	\$322,128.01	\$325,776	\$727	\$336,880.01	\$340,695
\$687	\$310,857.01	\$314,338	\$719	\$325,776.01	\$329,424	\$752	\$340,695.01	\$344,510
\$710	\$314,338.01	\$317,818	\$744	\$329,424.01	\$333,072	\$778	\$344,510.01	\$348,324
\$733	\$317,818.01	\$321,299	\$769	\$333,072.01	\$336,719	\$804	\$348,324.01	\$352,139
	200% FPIG	\$214,200		200% FPIG	\$224,480		200% FPIG	\$234,760

[Pa.B. Doc. No. 23-608. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Supplemental Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final public notice of its funding allocation for Fiscal Year (FY) 2022-2023 supplemental payments to promote the continuation of quality medical services to individuals enrolled in the Pennsylvania Medical Assistance (MA) Program, and to provide financial relief to hospitals during the novel coronavirus (COVID-19) pandemic. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 52 Pa.B. 6434 (October 8, 2022). The Department received no public comments during the 30-day comment period. The

Department will implement the total payment set forth in the notice of intent.

Fiscal Impact

The FY 2022-2023 impact, as a result of the funding allocation for these payments, is \$70.000 million in total funds.

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-NOT-1569. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2022-23 is \$16,653,000; (3) 1st Succeeding Year 2023-24 through 5th Succeeding Year 2027-28 are \$0; (4) 2021-22 Program—\$644,059,000; 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 23-609. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Temporary Extension of the Alternative Payment Methodology for COVID-19 Vaccine Administration

This notice announces the temporary extension of the Alternative Payment Methodology (APM) for Federally Qualified Health Centers (FQHC) and Rural Health Clinics (RHC) for the administration of novel coronavirus (COVID-19) vaccines administered during a COVID-19 vaccine-only visit.

Background

During the COVID-19 Public Health Emergency (PHE), the Department of Human Services (Department) received approval from the Centers for Medicare & Medicaid Services (CMS) to allow an APM for FQHCs and RHCs for the administration of COVID-19 vaccines during a COVID-19 vaccine-only visit. This APM is scheduled to end when the PHE ends, on May 11, 2023.

On February 14, 2023, CMS provided guidance for states on how to seek extensions of provisions that were approved in response to the COVID-19 pandemic. The Department will temporarily extend the APM past the expiration of the PHE. This extension will allow FQHCs and RHCs who agree to accept the APM to continue to receive supplemental payments at the Medical Assistance Program Fee Schedule rate for the administration of

COVID-19 vaccines during a COVID-19 vaccine-only visit, by staff who have authority under State law to administer the vaccine and are covered under the State Plan. The temporary extension will be for dates of service May 12, 2023, to September 30, 2024.

Fiscal Impact

The Department does not anticipate a fiscal impact associated with the temporary extension of this APM.

Public Comment

Interested persons are invited to submit written comments regarding the temporary extension of this APM to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120, RA-PWMAProgComments@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision to the APM.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-NOT-1572. No fiscal impact; recommends adoption.

[Pa.B. Doc. No. 23-610. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Updates to the Medical Assistance Program Fee Schedule for Administration of a Booster Dose of the SARS-CoV-2 Vaccine Manufactured by Novavax

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Human Services (Department) announces the addition of the following procedure code to the Medical Assistance (MA) Program Fee Schedule for the administration of a booster dose of the SARS-CoV-2 vaccine manufactured by Novavax. The effective date and MA fee are indicated as follows.

<i>Procedure Code</i>	<i>Description</i>	<i>Effective Date</i>	<i>MA Fee</i>
0044A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, recombinant spike protein nanoparticle, saponin-based adjuvant, preservative free, 5 mcg/0.5mL dosage; booster dose	10/19/22	\$40

The MA Program Fee Schedule has been updated with the new Current Procedural Terminology (CPT) code to allow for payment of the administration of a booster dose of the SARS-CoV-2 vaccine manufactured by Novavax.

The Department issued an MA Bulletin to inform providers enrolled in the MA Program of the addition of the CPT code for the administration of a booster dose of the SARS-CoV-2 vaccine manufactured by Novavax.

Fiscal Impact

There is no fiscal impact associated with the addition of this procedure code.

Public Comment

Interested persons are invited to submit written comments to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120, RA-PWMAProgComments@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

VALERIE A. ARKOOSH,
Acting Secretary

Fiscal Note: 14-NOT-1568. No fiscal impact; recommends adoption.

[Pa.B. Doc. No. 23-611. Filed for public inspection May 5, 2023, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Findings

Under section 2002 of The Administrative Code of 1929 (71 P.S. § 512) establishing the Department of Transportation (Department), the Director of the Bureau of Design and Delivery, as delegated by the Secretary of Transportation, makes the following written findings:

The Department is planning the following listed projects. Environmental and Section 4(f) Documentation have been developed for the following identified projects to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System at <http://www.dotdom2.state.pa.us/ceea/ceeamain.nsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed projects identified and all reasonable steps have been taken to minimize the effects.

• **SR 0706, Section 554—Jessup Township, Susquehanna County.**

Project Description: The project is the replacement of the existing bridge that carries SR 0706 over East Branch Wyalusing Creek.

Environmental Documents: ED 1b Evaluation approved on October 27, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on March 3, 2022.

Proposed Use of Section 4(f)/2002 Resource: Approximately 0.138-acre of right-of-way (ROW) will be required from the 95.5-acre Huff/Bartlett Farm, which was determined to be eligible for listing on the National Register of Historic Places (NRHP).

• **SR 0435, Section 251—Elmhurst Township, Lackawanna County.**

Project Description: The project is the replacement of two existing structures that carry SR 0435 over the Delaware, Lackawanna and Western Railroad and an Unnamed Tributary to Roaring Brook.

Environmental Documents: Categorical Exclusion (CE) 1b Evaluation approved on November 19, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 31, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.17-acre of ROW and 0.074-acre of slope easement will be required from the Delaware, Lackawanna and Western Railroad, which was determined to be eligible for listing on the NRHP.

• **SR 2016, Section 01B—Muhlenberg Township, Berks County.**

Project Description: The project is the replacement of the existing bridge that carries Bellevue Avenue (SR 2016) over Reading, Blue Mountain and Northern Railroad.

Environmental Documents: CE 2 Evaluation approved on December 19, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on January 26, 2022.

Proposed Use of Section 4(f)/2002 Resources: The existing structure is a contributing element to the Reading Railroad: Mainline (Philadelphia to Port Carbon) Historic District, which was determined to be eligible for listing on the NRHP.

• **SR 0001, Section MPH—Athens Township, Delaware County.**

Project Description: The project is the preservation of the bridge that carries Township Line Road (SR 0001) over Cobbs Creek.

Environmental Documents: CE Bridge and Roadway Programmatic Agreement Evaluation approved on December 13, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on October 28, 2022.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.07-acre of ROW will be required from the 430-acre Cobbs Creek Park, which qualifies as a Section 4(f)/2002 resource.

• **SR 0420, Section DWD—Tinicum Township and Prospect Park Borough, Delaware County.**

Project Description: The project is the replacement of two existing bridges (northbound and southbound) that carry SR 0420 over Darby Creek.

Environmental Documents: CE 2 Reevaluation approved on December 13, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on January 3, 2018.

Proposed Use of Section 4(f)/2002 Resources: Approximately 0.025-acre of ROW will be required from the 2.5-acre Morton Homestead, which is listed on the NRHP.

• **SR 1053, Section 003—West Cocalico Township, Lancaster County.**

Project Description: The project is the replacement of the existing bridge that carries Greenville Road (SR 1053) over Cocalico Creek.

Environmental Documents: CE 2 Evaluation approved on December 9, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on August 5, 2022.

Proposed Use of Section 4(f)/2002 Resources: The existing Greenville Road Bridge was determined to be eligible for listing on the NRHP.

• **SR 7301, Section 000—City of Pittsburgh, Allegheny County.**

Project Description: The project is the rehabilitation of the existing steel structure that carries 6th Street over the Allegheny River, the Three Rivers Heritage Trail and the 10th Street Bypass.

Environmental Documents: CE 2 Reevaluation approved on November 10, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved January 17, 2020.

Proposed Use of Section 4(f)/2002 Resources: The 6th Street Bridge is listed on the NRHP.

CHRISTINE A. SPANGLER, PE,
Director
Bureau of Design and Delivery

[Pa.B. Doc. No. 23-612. Filed for public inspection May 5, 2023, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The May 9, 2023, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is tentatively scheduled for Tuesday, June 13, 2023. The meeting will begin at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board," then "2023 Meetings").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the June 13, 2023, meeting can be directed to Laura Griffin at laurgriffi@pa.gov or (717) 783-8727.

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

RICHARD NEGRIN,
Acting Chairperson

[Pa.B. Doc. No. 23-613. Filed for public inspection May 5, 2023, 9:00 a.m.]

FISH AND BOAT COMMISSION

Changes to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) approved the changes to its list of Class A wild trout streams as set forth at 53 Pa.B. 918 (February 11, 2023). Under

58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 23-614. Filed for public inspection May 5, 2023, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Additions

The Fish and Boat Commission (Commission) approved the addition of 32 new waters to its list of wild trout streams as set forth at 53 Pa.B. 916 (February 11, 2023). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams, and it is available on the Commission's web site at <https://www.fishandboat.com/Fishing/All-About-Fish/Catch-PA-Fish/Trout/Pages/TroutWaterClassifications.aspx>.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 23-615. Filed for public inspection May 5, 2023, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wilderness Trout Streams; Additions; April 2023

The Fish and Boat Commission (Commission) approved the addition of 20 stream sections to the list of wilderness trout streams, as set forth at 53 Pa.B. 1491 (March 11, 2023). Under 58 Pa. Code § 57.4 (relating to wilderness trout streams), it is the policy of the Commission to maintain the wilderness trout streams program where stream remoteness and populations of naturally reproducing trout combine to offer sport fishing opportunity for the recreation of anglers in a wilderness setting away from roads or vehicular access. It is the Commission's intent to advocate proper watershed management to maintain the wilderness setting and to advance and seek the highest water quality standards through the Department of Environmental Protection.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 23-616. Filed for public inspection May 5, 2023, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, April 20, 2023, and announced the following:

Actions Taken—Regulations Approved:

Environmental Quality Board # 7-580: Control of VOC Emissions from Conventional Oil and Natural Gas Sources (amends 25 Pa. Code Chapter 129)

Approval Order

Public Meeting Held
April 20, 2023

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson, Dissenting; John J. Soroko, Esq., Dissenting; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board—
Control of VOC Emissions from Conventional Oil
and Natural Gas Sources*

Regulation No. 7-580 (# 3363)

On November 30, 2022, the Independent Regulatory Review Commission (Commission) received this regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 129. Notice of proposed rulemaking was omitted for this final regulation. Governor Tom Wolf certified the regulation as necessary to meet an emergency on November 30, 2022. The regulation was published in the *Pennsylvania Bulletin* on December 10, 2022. However, the Board has designated December 2, 2022 as the effective date of the regulation.

This rulemaking adopts reasonably available control technology (RACT) requirements and RACT emission limitations for conventional oil and natural gas sources of volatile organic compound emissions.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. §§ 4005(a)(1) and (8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

Approval of this rulemaking should in no way be considered to be precedential for future emergency rulemakings where the effective date deviates from Section 6(d) of the Regulatory Review Act.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 23-617. Filed for public inspection May 5, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Ryan John Callahan; Doc. No. SC23-04-011

Notice is hereby given of the Order to Show Cause issued on April 24, 2023, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 611-A(4), (7), (16) and (20) and 696-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(4), (7), (16) and (20) and 310.96).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, Agency ADA Coordinator, jkorman@pa.gov, (717) 787-4429.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-618. Filed for public inspection May 5, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by LECOM at Elmwood Gardens, LLC

LECOM at Elmwood Gardens, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at LECOM at Elmwood Gardens in Erie, PA. The initial filing was received on April 20, 2023, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-619. Filed for public inspection May 5, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

SILAC Insurance Company (SERFF # ELCC-133642936); Rate Increase Filing on an LTC Form; Rate Filing

SILAC Insurance Company is requesting approval to increase the premium 50% on 16 policyholders with individual LTC form LTC 2020 (PA).

Unless formal administrative action is taken prior to July 21, 2023, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over the word “Consumers,” then select “Pending Long Term Care Rate Filings.”

Interested parties are invited to submit written comments, suggestions or objections to Sean Carmody, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, scarmody@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-620. Filed for public inspection May 5, 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
April 20, 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 April 11, 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-2013-2387060*	FRONTIER UTILITIES NORTHEAST, LLC	4/10/2023	No
A-2010-2175245	INTEGRITY COMMUNICATIONS OF OHIO, LLC	4/1/2023	Yes
A-2020-3021318	NEM GROUP, INC.	3/25/2023	Yes
A-2021-3024692*	ROBISON ENERGY (COMMERCIAL), LLC	3/16/2023	Yes

*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier's assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-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: April 20, 2023

ORDER ENTERED: April 20, 2023

[Pa.B. Doc. No. 23-621. Filed for public inspection May 5, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Columbia Gas
of PA, Inc.**

Public Meeting held
April 20, 2023

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; Stephen M. DeFrank, Vice Chairperson, Conflict Statement follows; Ralph V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Columbia Gas of PA,
Inc.; M-2021-3005572*

Opinion and Order

By the Commission:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is a proposed Revised Joint Petition for Approval of Settlement (Settlement, Settlement Agreement, or Petition) filed on March 17, 2023, by the Commission's Bureau of Investigation and Enforcement (I&E) and Columbia Gas of Pennsylvania, Inc. (Columbia Gas or the Company) (collectively, the Parties), with respect to an informal investigation conducted by I&E. Both Parties filed Statements in Support of the Settlement. The Parties submit that the proposed Settlement, as revised, is in the public interest and is consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201, Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations. Petition at 10.

Before issuing a final decision on the merits of the proposed Settlement, and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), we shall publish the Settle-

ment in the *Pennsylvania Bulletin* and provide an opportunity for interested parties to file comments regarding the proposed Settlement.

History of the Proceeding

This matter concerns alleged overpressurization events that occurred on Columbia Gas' Fayetteville and Rimersburg distribution systems. I&E initiated an informal investigation of Columbia Gas on February 8, 2019, as a result of information provided by its Safety Division relating to these allegations. Specifically, the alleged overpressurizations occurred between January 9, 2018 and January 12, 2018 on Columbia Gas' Fayetteville distribution system and between May 16, 2018 and June 12, 2018 on Columbia Gas' Rimersburg system. Petition at 5, 6—8.

I&E conducted multiple inspections of the sites and interviews with Columbia Gas employees. As part of its investigation, I&E also served one set of Data Requests to Columbia Gas on February 8, 2019, to which Columbia Gas responded on March 8, 2019. Petition at 5.

Thereafter, the Parties entered into negotiations and agreed to resolve the matter in accordance with the Commission's policy to promote settlements at 52 Pa. Code § 5.231. Id. The Parties originally filed a Petition for Approval of Settlement on June 8, 2021, at the above docket.

By Tentative Order entered February 3, 2022 (Tentative Order) and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), the Commission directed publication of the initial Settlement in the *Pennsylvania Bulletin* to provide an opportunity for interested parties to file comments regarding the proposed initial Settlement. Comments to the proposed initial Settlement were received on February 24, 2022, from Mr. Richard C. Culbertson (Mr. Culbertson), and on March 16, 2022, from the Pennsylvania Office of Consumer Advocate (the OCA), and on March 17, 2022 from Columbia Gas. By Opinion and Order entered May 20, 2022 (May 20 Order), the Commission denied the Petition and referred the matter back to I&E for further proceedings to further develop the following:

- (1) more specificity regarding the facilities that required replacement;
- (2) clarity regarding the parties' positions on Columbia Gas's ability to recover/seek recovery of the cost of replacement facilities in rate base; and
- (3) clarity regarding what damage to customer property resulted due to the overpressure events.

Petition at 1, n. 1 (citing May 20 Order at 21-22).

Additional collaboration between I&E and Columbia Gas following the entry of the May 20 Order formed the basis for a Revised Settlement Agreement. Petition at 6. The Revised Joint Petition for Approval of Settlement was filed on March 17, 2023.

Background

The Rimersburg Distribution System

As described more fully in the Settlement, the first system, Rimersburg, serves 420 active customers, and was overpressurized daily for nearly a month, from May 16, 2018, to June 12, 2018, when the bypass valve at Regulator Station 4046 allowed the system to overpressure thirteen inches of water column above the maximum allowable operating pressure (MAOP). It was determined that this overpressure occurred because dried grease on the bypass valve to the main pipeline prevented the valve

from sealing when a technician had applied new grease to the valve. Petition at 6 and n. 3-4.

The Fayetteville Distribution System

The distribution system in Fayetteville serves 966 active customers. I&E found that between January 9, 2018 and January 12, 2018, the Ausherman Regulator Station, R-3523, located in Fayetteville, was overpressurized because a Columbia Gas technician failed to fully close the bypass valve after the valve had been opened to address a supply shortage. Petition at 6-7 and n. 5. During the three (3) overpressure events, the open bypass valve allowed upstream pressure to the R-3523 Station to bypass the regulator set and cause the system to exceed the MAOP of 45 pounds per square inch gauge (psig), reaching a pressure of 107 psig, which is 160% of the MAOP. Petition at 7. I&E stated its understanding that three (3) overpressure events occurred on the following occasions:

- a. On January 9, 2018 the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 77 psig.
- b. On January 10, 2018, the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 52 psig.
- c. From January 11, 2018 to January 12, 2018, the pressure exceeded the MAOP of 45 psig for twenty-one hours, reaching approximately 107 psig.

Petition at 7 and n. 5.

The Petition further states that on January 2, 2018, Columbia Gas detected low gas flow from the supplier, Texas Eastern, in the Fayetteville gas system. Columbia Gas responded and increased the flow by manually operating the bypass valve of this station to the supply system. On January 12, 2018, a Columbia Gas technician determined that the system was overpressurized when repairing a meter that was struck by a vehicle. I&E Pipeline Safety inspectors were contacted by a Columbia Gas Compliance Manager and notified of an overpressure in the Fayetteville area system of the Greencastle shop. Columbia Gas personnel informed the PUC inspectors of the overpressure, reported that the system was a two-way feed, and that no outages were reported due to the overpressure. The I&E Pipeline Safety inspectors alongside Columbia Gas personnel then inspected Station R-3523 and reviewed the pressure chart. It was discovered that when the chart was previously changed, the chart recorded the inlet pressure in the system which caused the time to be marked incorrectly and required the chart to be read several hours ahead of time. The R-3523 Station operates with an inlet MAOP of 125 psig, and outlet MAOP of 45 psig. With Columbia Gas' assistance reading the chart, it was determined that overpressure events occurred on three (3) occasions from January 9, 2018 to January 12, 2018. Petition at 7 and n. 5.

As noted in the Petition, Columbia Gas reported that subsequent to discovering the overpressure events, from January 12, 2018 to January 26, 2018, it received sixty-two (62) odor of gas calls, both from the public and self-generated. Petition at 7. Importantly, of the 62 calls, 21 calls were deemed "Grade 1" leaks, or hazardous leaks requiring immediate repair. On February 16, 2018, following a leak survey, Columbia Gas reported a total of 193 leaks had been found in the Fayetteville system. Columbia Gas also indicated that the majority of identified leaks were from mechanical fitting failures for meter sets. I&E found that this exceedance of MAOP from an engineering view compromised the integrity of the system

and warranted an evaluation of the condition of the total system to determine whether and how much of the system warranted replacement.¹ Accordingly, Columbia Gas conducted comprehensive leakage surveys and developed a targeted plan to replace approximately 45,000 feet of compromised facilities, or over one-third of the total system. A detailed record of the replaced facilities is attached as Columbia Attachment 1. Petition at 7-8.

Terms and Conditions of the Settlement

The Parties submit that the Settlement with the inclusion of the additional information sought by the Commission in the May 20 Order has been filed to resolve all issues related to I&E's informal investigation and represents a compromise by both I&E and Columbia Gas of their competing positions. The Parties further state that the Settlement constitutes a carefully crafted package representing reasonably negotiated compromises on the issues addressed therein. Petition at 16-17. The Parties urge the Commission to approve the Settlement in its entirety and without modification, as being in the public interest and consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201 governing settled proceedings involving violations of the Public Utility Code and the Commission's Regulations. Petition at 15.

The Settlement consists of the Revised Joint Petition for Approval of Settlement containing the terms and conditions of the Settlement, Proposed Ordering Paragraphs (Appendix A to the Petition) and the respective Statements in Support of the Settlement of I&E (Appendix B to the Petition) and Columbia Gas (Appendix C to the Petition). The Settlement provides that the Commission's May 20 Order sought additional detail and referred the matter back to I&E. The Parties state that they have provided: (1) enhanced language to the body of the Settlement, (2) the Statements in Support, and (3) Columbia Attachment 1 that clarify the positions of the Parties on the topics of concern to the Commission. Petition at 5.

The essential terms of the Settlement are set forth in Paragraphs 25-26 of the Petition. Petition at 10–14. These terms and conditions are excerpted in relevant part, as follows:

25. Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest,² the Parties held a series of discussions that culminated in the original settlement. Subsequent to the entry of the Commission's May 20 Order and referral of this matter back to I&E, the Parties engaged in further discussions in order to gather the additional information sought by the Commission so that the Commission could make an informed determination that the Settlement, as revised, is in fact in the public interest. I&E and Columbia Gas desire to (1) resolve I&E's informal investigation; and (2) settle this matter completely without litigation. The Parties recognize that given the inherent unpredictability of the outcome of a contested proceeding, there are mutual benefits of amicably resolving the disputed issues. The terms and conditions of the Settlement, as revised, for which the Parties seek Commission approval, are set forth below.

26. I&E and Columbia Gas, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a

Commission Order approving the Settlement, as revised, without modification shall create the following rights and obligations:

a. Civil Penalty

Columbia Gas will pay a civil penalty in the amount of \$535,000.³ Said payment shall be made within thirty (30) days of the date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to "Commonwealth of Pennsylvania." The docket number of this proceeding shall be included on the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg PA 17120

Columbia Gas will not seek recovery of any portion of the total civil penalty amount of \$535,000 in any future ratemaking proceeding, and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

b. Corrective Actions

Columbia Gas has taken or will take the following steps to voluntarily modify the following practices and procedures to prevent similar occurrences in the future:

1) In 2019, Columbia Gas implemented the Safety Management System ("SMS"), which is a comprehensive approach to managing safety, emphasizing continual assessment and improvement and mitigating potential risks before they happen. Columbia Gas has included the issues of bypass valves in its SMS process (including determining whether they are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves). Columbia Gas will update I&E on its findings and proposed process changes that result from SMS;

2) As part of its Gas Distribution Integrity Management Program ("DIMP"), Columbia Gas has included the issues of bypass valves (including the determination of whether bypass valves are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves) in its identification and ranking of risk, segment by segment, across its system.

a) As part of the process to integrate the valves into the DIMP plan, Columbia Gas is conducting an inventory of all bypass valves in its system in Pennsylvania. The inventory first focused on regulator stations on low pressure stations (completed as of December 31, 2021) and stations with greater than 125 psig inlet pressure (completed as of March 31, 2022). Columbia Gas will complete inventory of the remaining systems within one (1) year from the effective date of the settlement order;

b) In this inventory, Columbia Gas shall identify, at a minimum, manufacture[r], installation year, size, and whether the valve has a way to identify the position of the valve (whether it is on or off);

¹ The total system is approximately 25 miles of pipeline consisting of 3,173 feet of bare steel, 43,463 feet of coated steel, and 85,790 feet of plastic. Included in the plastic pipe is a possible 3,050 feet of Aldyl-A. Petition at 8, n. 6.

² See 52 Pa. Code § 5.231(a).

³ The following civil penalty terms are consistent with the Federal pipeline safety regulations under 49 U.S.C. § 60101 et seq., and implemented in 66 Pa. Code § 3301, which at the time of the overpressure incidents set forth a \$209,002 maximum civil penalty for each violation for each day the violation continues, with a maximum penalty not to exceed \$2,090,022 for a related series of violations. 49 U.S.C. § 60101 et seq.

c) This inventory shall also include inlet and outlet pressures of the station;

d) From this list, Columbia Gas shall develop a process to rank the risk specifically on the bypass valves across the distribution system, and;

e) Columbia Gas shall develop a replacement schedule or preventative and mitigative measures to prevent bypass valves from bleeding through or failing.

3) Columbia Gas shall abide by its newly implemented procedures regarding the use of bypass valves so that technicians properly determine whether bypass valves are opened or closed and in proper working order;⁴

4) In addition to the above-mentioned procedures regarding bypass valves, Columbia Gas shall also abide by the following Operational Notice issued by NiSource Inc.:

a) Operational Notice 19-05: there is a minimum 30-minute requirement to monitor downstream pressure at the end of all work performed in a regulator station when that work has involved bypassing the station to ensure the downstream pressure has stabilized. This work shall always be performed with two qualified metering and regulation (“M&R”) personnel.

b) If a bypass valve is operated, Columbia Gas shall observe and record the downstream pressure on the following day and observe and record the downstream pressure. This process should occur on all stations with bypass valves until non-primary reliefs or remote pressure monitoring can be installed at these stations, at which time Columbia Gas should reevaluate the need to continue this process.

5) Columbia Gas has improved its active monitoring, remote access and non-primary reliefs on its regulator stations that include bypass valves.

a) With regard to low pressure systems, Columbia Gas will continue the program initiated in 2019, under which the Company began installing monitor regulators that are designed to slam shut when the pressure is either too low or too high for the systems to function correctly.

b) In addition to these slam shut regulators, on its low pressure systems Columbia Gas will continue to install remote monitoring devices that communicate directly with gas control that have set parameters that allow Columbia Gas to respond should pressure exceed either the high or low set points.

c) Regarding its entire distribution network, Columbia Gas has initiated a program to install remote electronic pressure monitoring devices which will warn Columbia Gas when pressures increase. Under that program, Columbia Gas will also:

(i) Install a non-primary relief for each system that utilizes a bypass valve to prevent future overpressures and prevent similar instances while giving Columbia Gas more information and time to respond to events;

⁴ Such procedures, which include specific steps relating to verification of closed valves, have been added to Columbia Gas’s bypass valve operation procedures. Those steps include:

- Screwing the control regulator all the way down (wide open);
- Determining the monitor regulator set-point as indicated in the regulator inspection record;
- Adjusting the bypass valve to achieve an outlet pressure setting lower than the desired monitor regulator and set-point;
- Slowly increasing the monitor regulator set-point and have the bypass valve operator start to close the bypass valve as the monitor regulator picks up the load on the system;
- Verifying that the bypass valve is fully closed; and
- Adjusting the control regulator to its desired set-point.

(ii) Prioritize systems identified as higher risk for installations of non-primary relief valves, and;

(iii) Provide I&E with a timeframe for the installation of downstream monitors, slam shut regulators and bypass valves;

6) Columbia Gas has added fields to its inspection forms regarding bypass valves to record pressure measured at the beginning and end of the monitoring period established under Operational Notice 19-05.

7) Beginning April 27, 2021, Columbia Gas has implemented pilot Standard Operating Procedures regarding shut down and start up of District Regulator Stations. Following those standard operating procedures, Columbia Gas will ensure that the following items will be observed as part of each inspection:

a) Does the regulator station include a bypass valve? Y/N

b) Is the bypass valve marked to indicate when it is fully closed, Y/N, or does it have a stop? Y/N

c) How is the valve marked to indicate that it is fully closed?

In response and if the Settlement is approved by the Commission without modification, I&E agrees to forgo the institution of any formal complaint against Columbia Gas with respect to the alleged violations committed by Columbia Gas. I&E Statement in Support at 10.

The proposed Settlement is conditioned on the Commission’s approval without modification of any of its terms or conditions. If the Commission does not approve the proposed Settlement or makes any change or modification to the proposed Settlement, either Party may elect to withdraw from the Settlement. Petition at 14-15.

Discussion

Pursuant to our Regulations at 52 Pa. Code § 5.231, it is the Commission’s policy to promote settlements. The Commission must, however, review proposed settlements to determine whether the terms are in the public interest. *Pa. PUC v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

In reviewing settlements that resolve informal investigations, the Commission will provide other potentially affected parties with the opportunity to file comments regarding a proposed settlement prior to issuing a decision. The Commission’s Regulations at 52 Pa. Code § 3.113(b) provide as follows:

§ 3.113. Resolution of informal investigations.

* * *

(b) Under 65 Pa.C.S. Chapter 7 (relating to Sunshine Act), the Commission’s official actions resolving informal investigations will be as follows:

* * *

(3) When the utility, or other person subject to the Commission’s jurisdiction, has committed to undertake action to address or remedy a violation or potential violation of the act or to resolve another perceived deficiency at the utility, in the form of a settlement with the Commission staff or other resolution of the matter, the Commission’s consideration of the settlement or approval of the utility’s action will occur at public meeting. Except for staff reports and other documents covered by a specific legal privilege, documents relied upon by the Commission in reaching its determination shall be made part of the public record. *Before the Commission makes a final decision to adopt the settlement or to approve the utility’s*

vania empowered to regulate public utilities within this Commonwealth, as well as other entities subject to its jurisdiction, pursuant to the Public Utility Code (“Code”), 66 Pa.C.S. §§ 101, et seq.

3. I&E is the bureau within the Commission established to prosecute complaints against public utilities and other entities subject to the Commission’s jurisdiction pursuant to 66 Pa.C.S. § 308.2(a)(11); see also *Implementation of Act 129 of 2008; Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (Order entered August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E).

4. Columbia Gas is a “public utility” as that term is defined at 66 Pa.C.S. § 102,⁶ as it is engaged in providing public utility service as a natural gas distribution company (“NGDC”) to the public for compensation. Columbia Gas serves more than 442,000 customers in 26 counties in western, central, and south-central Pennsylvania.

5. Section 501(a) of the Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Code.

6. Section 701 of the Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints alleging a violation of any law, regulation, or order that the Commission has jurisdiction to administer.

7. Section 3301(c) of the Code, 66 Pa.C.S. § 3301(c), which is specific to gas pipeline safety violations, authorizes the Commission to impose civil penalties on any person or corporation, defined as a public utility, who violates any provisions of the Code or any regulation or order issued thereunder governing the safety of pipeline or conduit facilities in the transportation of natural gas, flammable gas, or gas which is toxic or corrosive. Section 3301(c) further provides that a civil penalty of up to Two Hundred Thousand Dollars (\$200,000) per violation for each day that the violation persists may be imposed, except that for any related series of violations, the maximum civil penalty shall not exceed Two Million Dollars (\$2,000,000) or the penalty amount provided under Federal pipeline safety laws, whichever is greater.

8. Civil penalties for violations of Federal pipeline safety laws and regulations are adjusted annually to account for changes in inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub.L. 114-74, § 701, 129 Stat. 599, 28 U.S.C. § 2461 note (Nov. 2, 2015) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990). The most pertinent adjustment made by the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (“PHMSA”) at the time of the overpressure events occurred, revises the maximum civil penalty to Two Hundred Nine Thousand Two Dollars (\$209,002) for each violation for each day the violation continues, with a maximum penalty not to exceed Two Million Ninety Thousand Twenty-Two Dollars (\$2,090,022) for a related series of violations.

9. Pursuant to Section 59.33(b) of the Commission’s regulations, 52 Pa. Code § 59.33(b), I&E’s Safety Division has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101–60503 and as implemented at 49 CFR Parts 191–193, 195 and

199, and to apply the federal civil penalty. The federal pipeline safety laws and regulations proscribe the minimum safety standards for all natural gas and hazardous liquid public utilities in the Commonwealth.

10. Columbia Gas, in providing natural gas distribution service to the public for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders, including Federal pipeline safety laws and regulations.

11. Pursuant to the provisions of the applicable Commonwealth and Federal statutes and regulations, the Commission has jurisdiction over the subject matter and the alleged actions of Columbia Gas related thereto.

12. This matter involves allegations related to overpressure events which occurred on Columbia Gas’s distribution systems in Rimersburg, Pennsylvania and Fayetteville, Pennsylvania.

13. As a result of successful negotiations between I&E and Columbia Gas, the Parties reached an agreement on an appropriate outcome to the informal investigation as encouraged by the Commission’s policy to promote settlements. See 52 Pa. Code § 5.231. By way of its May 20 Order, the Commission sought additional detail and referred the matter back to I&E. Now, in this Revised Joint Petition, the Parties have provided enhanced language to the body of the Settlement, the Statements in Support and added Columbia Attachment 1 that clarify the positions of the Parties on the topics of concern to the Commission. The duly authorized Parties executing this Settlement Agreement, as revised, agree to the settlement terms set forth herein and urge the Commission to approve the Settlement as enhanced as being in the public interest.

II. Background

14. I&E prosecutors initiated an informal investigation of Columbia Gas on February 8, 2019, as a result of information provided by the I&E Safety Division relating to allegations of overpressure events that occurred on Columbia Gas’s Rimersburg and Fayetteville systems.

15. The I&E Safety Division conducted multiple inspections of the sites and interviews with Columbia Gas employees.

16. As part of its investigation, I&E served one set of data requests to Columbia Gas on February 8, 2019, to which the Company responded on March 8, 2019.

17. The results of I&E’s investigation, which included a review of the Company’s responses to I&E’s data requests, formed the basis for the initial Settlement Agreement.

18. Additional collaboration between I&E and Columbia Gas following the May 20 Order formed the basis for this Revised Settlement Agreement.

A. Distribution System in Rimersburg, Pennsylvania

19. The first system, Rimersburg, served 420 active customers at the time of the incident, and was overpressurized daily for nearly a month, from May 16, 2018, to June 12, 2018, when the bypass valve at Regulator

⁶ At 66 Pa.C.S. § 102, “Public utility” is defined under that term at subsection (1)(i) as:

(1) Any person or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for:

(i) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, or power to or for the public for compensation.

Station 4046 allowed the system to overpressure 13 inches of water column above the maximum allowable operating pressure (“MAOP”).⁷

20. It was determined that this overpressure occurred because dried grease on the bypass valve to the main pipeline prevented the valve from sealing when a technician applied new grease to the valve.⁸

B. Distribution System in Fayetteville, Pennsylvania

21. The second system in Fayetteville served 966 active customers at the time of the incident. I&E found that between January 9, 2018 and January 12, 2018, the Ausherman Regulator Station, R-3523, located in Fayetteville, was overpressurized because a technician failed to fully close the bypass valve after the valve had been opened to address a supply shortage.⁹

22. During the three (3) overpressure events, the open bypass valve allowed upstream pressure to the R-3523 Station to bypass the regulator set and cause the system to exceed the MAOP of 45 psig, reaching a pressure of 107 psig, which is 160% of the MAOP. I&E understands that three (3) overpressure events occurred on the following occasions:

- a. On January 9, 2018 the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 77 psig.
- b. On January 10, 2018, the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 52 psig.
- c. From January 11, 2018 to January 12, 2018, the pressure exceeded the MAOP of 45 psig for twenty-one hours, reaching approximately 107 psig.

⁷ On June 12, 2018, while changing the pressure charts at the Cherry Run Regulator Station R-4046, a Columbia Gas regulator technician discovered that the Rimersburg system had recently experienced an overpressure event. The Station R-4046 pressure recording chart showed that from May 16, 2018, to June 12, 2018, the pipeline system, 37022302, had daily spikes up to 27 inches of water column. This system was a two-way feed with regulator stations at each end, and had a MAOP of 14 inches of water column. Station R-4046 had an inlet MAOP of 125 pounds per square inch gauge (“psig”) and outlet MAOP of 110 psig.

Columbia Gas technicians then arrived at the Station, installed pressure gauges, deactivated all affected customer meters, and discovered 13 meter sets were impacted along the approximately 3,000 feet of main line. The technicians verified that when they reactivated the system, a blockage was detected in the main line.

I&E Pipeline Safety inspectors later arrived at the Station to witness Columbia Gas technicians locate the water blockage in the main line. The technicians detected the water blockage in the bare steel main line, found the line to be corroded, and discovered a water leak after an attempt to repair the line. Columbia Gas identified this per its procedures, as a “Grade 2” leak. Columbia Gas then installed a drip tank on this line and verified that the overpressure events did not damage any inside house lines or appliances. The I&E Pipeline Safety inspectors also ordered Columbia Gas to perform leak surveys every six hours on the line. On June 15, 2018, Columbia Gas installed numerous clamps on the line to repair the leaks. The section of pipeline that was overpressurized was taken out of service and replaced as of December 7, 2018. However, the replacement was not due to the overpressure event but, rather, due to the age and condition of the facilities.

⁸ On June 19, 2018, I&E Pipeline Safety inspectors witnessed this valve being tested by Columbia Gas technicians. The valve was a 2” Nordstrom Valve Fix 143 Number 5265. The valve testing took place at the Company’s York location, with a Company employee performing the test by connecting two pieces of pipe to either side of the valve and then putting air pressure on a side to indicate if air would leak. The Columbia Gas technician put 52 psig in the pipe and it immediately leaked through the valve. Columbia Gas believes that during the routine inspection, when the valve was turned and regreased, new grease failed to enter the valve which caused it not to form a tight seal. After a second test, the valve did not leak any further air pressure.

⁹ On January 2, 2018, Columbia Gas detected low gas flow from the supplier, Texas Eastern, in the Fayetteville gas system. Columbia Gas responded and increased the flow by manually operating the bypass valve of this station to supply the system.

On January 12, 2018, when repairing a meter that was struck by a vehicle, a Columbia Gas technician determined that the system had experienced an overpressure event. I&E Pipeline Safety inspectors were contacted by a Columbia Gas Compliance Manager and notified of an overpressure on the Fayetteville area system. Columbia Gas personnel informed the I&E inspectors of the overpressure, reported that the system was a two-way feed, and that no outages were reported due to the overpressure.

The I&E Pipeline Safety inspectors alongside Columbia Gas personnel then inspected Station R-3523, and reviewed the pressure chart. It was discovered that when the chart was previously changed, the chart recorded the inlet pressure in the system which caused the time to be marked incorrectly and required the chart to be read several hours ahead of time. The R-3523 Station operates with an inlet MAOP of 125 psig, and outlet MAOP of 45 psig. With Columbia Gas’s assistance reading the chart, it was determined that overpressure events occurred on three (3) occasions from January 9, 2018 to January 12, 2018.

23. Columbia Gas reported that subsequent to discovering the overpressure events, from January 12, 2018 to January 26, 2018, it received 62 odor of gas calls, both from the public and self-generated. Of the 62 calls, 21 calls were deemed “Grade 1” leaks, or hazardous leaks requiring immediate repair. On February 16, 2018, following a leak survey, Columbia Gas reported a total of 193 leaks had been found in the Fayetteville system. Columbia Gas also noted that the majority of identified leaks were from mechanical fitting failures for meter sets. I&E found that this exceedance of MAOP from an engineering perspective compromised the integrity of the system and warranted an evaluation of the condition of the total system to determine whether and how much of the system warranted replacement.¹⁰ Accordingly, Columbia Gas conducted comprehensive leakage surveys and developed a targeted plan to replace approximately 45,000 feet of compromised facilities, or over one-third of the total system. A detailed record of the replaced facilities is attached as Columbia Attachment 1.

III. Alleged Violations

24. Had this matter been fully litigated, I&E would have proffered evidence and legal arguments to support its allegations that Columbia Gas committed the following violations:

- a. Columbia Gas did not provide adequate protection against accidental overpressure.

If proven, I&E alleges that this conduct violated 49 CFR § 192.195 (protection against accidental overpressure);

- b. Columbia Gas did not adequately meet requirements for the design of pressure relief and limiting devices.

If proven, I&E alleges that this conduct violated 49 CFR § 192.199 (requirements for design of pressure relief and limiting devices);

- c. Columbia Gas did not prevent the system from exceeding the MAOP plus 6 psig.

If proven, I&E alleges that this conduct violated 49 CFR § 192.201 (relating to required capacity of pressure relieving and limiting stations);

- d. Columbia Gas did not adequately train its technicians to close a bypass valve, by listening to any gas leaks, thereby leading to the valve’s incomplete closure and allowing gas to pass through the valve causing the Fayetteville system to overpressure.

If proven, I&E alleges that this conduct violated 49 CFR § 192.605 (relating to procedural manual for operations, maintenance, and emergencies.);

- e. Columbia Gas did not adequately protect the system from exceeding the MAOP.

If proven, I&E alleges that this conduct violated 49 CFR § 192.619 (relating to maximum allowable operating pressure—steel or plastic pipelines);

- f. Columbia Gas did not adequately protect the system MAOP because gas was bypassing the pressure limiting and regulating devices.

If proven, I&E alleges that this conduct violated 49 CFR § 192.743 (relating to pressure limiting and regulating stations: capacity of relief devices); and

¹⁰ The total system is approximately 25 miles of pipeline consisting of 3,173 feet of bare steel, 43,463 feet of coated steel, and 85,790 feet of plastic. Included in the plastic pipe is a possible 3,050 feet of Aldyl-A.

g. Columbia Gas did not adequately protect the public from danger.

If proven, I&E alleges that this conduct violated 66 Pa.C.S. § 1501 (relating to the provision of reasonable, safe and adequate operation of utility services to the public).¹¹

IV. Terms of Settlement

25. Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest,¹² the Parties held a series of discussions that culminated in the original settlement. Subsequent to the entry of the Commission's May 20 Order and referral of this matter back to I&E, the Parties engaged in further discussions in order to gather the additional information sought by the Commission so that the Commission could make an informed determination that the Settlement, as revised, is in fact in the public interest. I&E and Columbia Gas desire to (1) resolve I&E's informal investigation; and (2) settle this matter completely without litigation. The Parties recognize that given the inherent unpredictability of the outcome of a contested proceeding, there are mutual benefits of amicably resolving the disputed issues. The terms and conditions of the Settlement, as revised, for which the Parties seek Commission approval, are set forth below.

26. I&E and Columbia Gas, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement, as revised, without modification shall create the following rights and obligations:

a. Civil Penalty

Columbia Gas will pay a civil penalty in the amount of \$535,000.¹³ Said payment shall be made within thirty (30) days of the date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to "Commonwealth of Pennsylvania." The docket number of this proceeding shall be included on the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg PA 17120

Columbia Gas will not seek recovery of any portion of the total civil penalty amount of \$535,000 in any future ratemaking proceeding, and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

b. Corrective Actions

Columbia Gas has taken or will take the following steps to voluntarily modify the following practices and procedures to prevent similar occurrences in the future:

¹¹ I&E recognizes 49 U.S.C. 60101 et seq., and any regulation or order issued thereunder as implemented by the Pennsylvania Public Utility Code at 52 Pa. Code § 59.33, which states:

The minimum safety standards for all natural gas and hazardous liquid public utilities in this Commonwealth shall be those issued under the pipeline safety laws as found in 49 U.S.C.A. §§ 60101–60503 and as implemented at 49 CFR Parts 191–193, 195 and 199, including all subsequent amendments thereto.

¹² See 52 Pa. Code § 5.231(a).

¹³ The following civil penalty terms are consistent with the Federal pipeline safety regulations under 49 U.S.C. § 60101 et seq., and implemented in 66 Pa. Code § 3301, which at the time of the overpressure incidents set forth a \$209,002 maximum civil penalty for each violation for each day the violation continues, with a maximum penalty not to exceed \$2,090,022 for a related series of violations. 49 U.S.C. § 60101 et seq.

8) In 2019, Columbia Gas implemented the Safety Management System ("SMS"), which is a comprehensive approach to managing safety, emphasizing continual assessment and improvement and mitigating potential risks before they happen. Columbia Gas has included the issues of bypass valves in its SMS process (including determining whether they are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves). Columbia Gas will update I&E on its findings and proposed process changes that result from SMS;

9) As part of its Gas Distribution Integrity Management Program ("DIMP"), Columbia Gas has included the issues of bypass valves (including the determination of whether bypass valves are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves) in its identification and ranking of risk, segment by segment, across its system.

a) As part of the process to integrate the valves into the DIMP plan, Columbia Gas is conducting an inventory of all bypass valves in its system in Pennsylvania. The inventory first focused on regulator stations on low pressure stations (completed as of December 31, 2021) and stations with greater than 125 psig inlet pressure (completed as of March 31, 2022). Columbia Gas will complete inventory of the remaining systems within one (1) year from the effective date of the settlement order;

b) In this inventory, Columbia Gas shall identify, at a minimum, manufacture, installation year, size, and whether the valve has a way to identify the position of the valve (whether it is on or off);

c) This inventory shall also include inlet and outlet pressures of the station;

d) From this list, Columbia Gas shall develop a process to rank the risk specifically on the bypass valves across the distribution system, and;

e) Columbia Gas shall develop a replacement schedule or preventative and mitigative measures to prevent bypass valves from bleeding though or failing.

10) Columbia Gas shall abide by its newly implemented procedures regarding the use of bypass valves so that technicians properly determine whether bypass valves are opened or closed and in proper working order;¹⁴

11) In addition to the above-mentioned procedures regarding bypass valves, Columbia Gas shall also abide by the following Operational Notice issued by NiSource Inc.:

a) Operational Notice 19-05: there is a minimum 30-minute requirement to monitor downstream pressure at the end of all work performed in a regulator station when that work has involved bypassing the station to ensure the downstream pressure has stabi-

¹⁴ Such procedures, which include specific steps relating to verification of closed valves, have been added to Columbia Gas's bypass valve operation procedures. Those steps include:

- Screwing the control regulator all the way down (wide open);
- Determining the monitor regulator set-point as indicated in the regulator inspection record;
- Adjusting the bypass valve to achieve an outlet pressure setting lower than the desired monitor regulator and set-point;
- Slowly increasing the monitor regulator set-point and have the bypass valve operator start to close the bypass valve as the monitor regulator picks up the load on the system;
- Verifying that the bypass valve is fully closed; and
- Adjusting the control regulator to its desired set-point.

lized. This work shall always be performed with two qualified metering and regulation (“M&R”) personnel.

b) If a bypass valve is operated, Columbia Gas shall observe and record the downstream pressure on the following day and observe and record the downstream pressure. This process should occur on all stations with bypass valves until non-primary reliefs or remote pressure monitoring can be installed at these stations, at which time Columbia Gas should reevaluate the need to continue this process.

12) Columbia Gas has improved its active monitoring, remote access and non-primary reliefs on its regulator stations that include bypass valves.

a) With regard to low pressure systems, Columbia Gas will continue the program initiated in 2019, under which the Company began installing monitor regulators that are designed to slam shut when the pressure is either too low or too high for the systems to function correctly.

b) In addition to these slam shut regulators, on its low pressure systems Columbia Gas will continue to install remote monitoring devices that communicate directly with gas control that have set parameters that allow Columbia Gas to respond should pressure exceed either the high or low set points.

c) Regarding its entire distribution network, Columbia Gas has initiated a program to install remote electronic pressure monitoring devices which will warn Columbia Gas when pressures increase. Under that program, Columbia Gas will also:

(i) Install a non-primary relief for each system that utilizes a bypass valve to prevent future overpressures and prevent similar instances while giving Columbia Gas more information and time to respond to events;

(ii) Prioritize systems identified as higher risk for installations of non-primary relief valves, and;

(iii) Provide I&E with a timeframe for the installation of downstream monitors, slam shut regulators and bypass valves;

13) Columbia Gas has added fields to its inspection forms regarding bypass valves to record pressure measured at the beginning and end of the monitoring period established under Operational Notice 19-05.

14) Beginning April 27, 2021, Columbia Gas has implemented pilot Standard Operating Procedures regarding shut down and start up of District Regulator Stations. Following those standard operating procedures, Columbia Gas will ensure that the following items will be observed as part of each inspection:

a) Does the regulator station include a bypass valve? Y/N

b) Is the bypass valve marked to indicate when it is fully closed, Y/N, or does it have a stop? Y/N

c) How is the valve marked to indicate that it is fully closed?

V. Conditions of Settlement

27. The benefits and obligations of this Revised Joint Petition for Approval of Settlement shall be binding upon the successors and assigns of the parties to the Settlement.

28. This Revised Joint Petition may be signed in counterparts and all signatures attached hereto will be considered as originals.

29. In order to effectuate the Parties’ Revised Joint Petition for Approval of Settlement, the undersigned parties request that the Commission issue a Final Order approving the Petition, as revised, without modification.

30. The Parties agree that any party may petition the Commission for a hearing or take other recourse allowed under the Commission’s rules if the Commission Order substantively modifies the terms of this Settlement Agreement. In that event, any party may give notice to the other that it is withdrawing from this Settlement Agreement. Such notice must be in writing and must be given within twenty (20) business days of the issuance of the Final Order which adopts this Revised Joint Petition for Approval of Settlement with substantive modifications of its terms. The consequence of any party withdrawing from this Settlement as set forth above is that all issues associated with the requested relief presented in the proceeding will be fully litigated by the filing of a Formal Complaint unless otherwise stipulated between the parties and all obligations of the parties to each other set forth herein are terminated and of no force and effect. In the event that a party withdraws from this Settlement as set forth in this paragraph, I&E and Columbia Gas jointly agree that nothing in this Revised Joint Petition shall be construed as an admission against or as prejudice to any position which any party might adopt during litigation of this case.

31. I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement as revised per the May 20 Order is in the public interest and is fully consistent with the Commission’s Policy Statement for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations, 52 Pa. Code § 69.1201. The Commission will serve the public interest by adopting this Revised Joint Petition for Approval of Settlement.

32. The Revised Joint Petition for Approval of Settlement avoids the time and expense of litigation in this matter before the Commission, which likely would entail the filing of a Formal Complaint, the preparation for and attendance at hearings, and the preparation and filing of testimony, briefs, reply briefs, exceptions, and reply exceptions. The Parties further recognize that their positions and claims are disputed and, given the inherent unpredictability of the outcome of a contested proceeding, the Parties recognize the benefits of amicably resolving the disputed issues through settlement.

33. Since the Parties agree to the terms of the Revised Joint Petition for Approval of Settlement, adopting it will eliminate the possibility of any appeal from the Commission Secretarial Letter or Order, thus avoiding the additional time and expense that they might incur in such an appeal.

34. This Settlement consists of the entire agreement between I&E and Columbia Gas regarding the matters addressed herein. Moreover, this Settlement represents a complete settlement of I&E’s informal investigation against Columbia Gas’ alleged violations of the Public Utility Code and the Commission’s regulations as discussed in more detail in Section III. The Parties expressly acknowledge that this Settlement Agreement represents a compromise of positions and does not in any way constitute a finding or an admission concerning the alleged violations of the Public Utility Code and the Commission’s regulations. This Settlement shall be construed and interpreted under Pennsylvania Law.

35. The Settlement contains a summary of alleged violations of the Public Utility Code and the Commission’s

regulations. See, Section III, Alleged Violations. In addition, the Settlement Terms contains Proposed Settlement Terms. See, Section IV, Terms of Settlement. None of the provisions in this Settlement, as revised, including Sections III and IV of the proposed Settlement, shall be considered or shall constitute an admission, a finding of any fact, or a finding of culpability on the part of Columbia Gas in this or any other proceeding. This Settlement is presented without prejudice to any position that either party may have advanced, and without prejudice to the position any party may advance, in the future on the merits of the issues in future proceedings, except to the extent necessary to effectuate the terms and conditions of this Settlement.

36. The terms and conditions of this Settlement Agreement constitute a carefully crafted package representing reasonably negotiated compromises on the issues addressed herein. Thus, the Settlement Agreement is consistent with the Commission’s rules and practices encouraging negotiated settlements set forth in 52 Pa. Code §§ 5.231 and 69.1201.

Wherefore, the Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement and Columbia Gas of Pennsylvania, Inc. respectfully request that the Commission enter an Order approving the terms

of the Revised Joint Petition for Approval of Settlement in their entirety and without modification as being in the public interest.

Respectfully submitted,
Columbia Gas of PA, Inc.

Date: March 17, 2023 Theodore J. Gallagher, Esq.
Counsel for Columbia Gas of PA, Inc.
Columbia Gas of PA, Inc.
121 Champion Way
Suite 100
Canonsburg, PA 15317
tjgallagher@nisource.com

Bureau of Investigation and Enforcement

Date: March 17, 2023 Michael L. Swindler
Counsel for Bureau of Investigation and Enforcement
Deputy Chief Prosecutor
PA Attorney ID No. 43319
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street 3W
Harrisburg, PA 17120
mswindler@pa.gov

Bare Steel Projects								
Job Order Number	Name	Footage Installed	Type	Footage Retired	Type	Status	Services Replaced	Services Tied Over
16-0213689-02	Franklin Farm Ln	191 2,779	2" PMMP 4" PMMP	154	4" PL 2015	COMPLETE		2
				6	4" CS 2015			
3,534 feet Bare Steel retired				3,500	4" Bare Steel			
				34	4" Bare Steel			
				6	Unkwn			
				19	4" CS 1969			
				1	4" PL 2007			
				28	4" CS 2005 4" PL 2005			
		2,970	Total Installed	3,748	Total Retired			

Aldyl-A Projects								
Job Order Number	Name	Footage Installed	Type	Footage Retired	Type	Status	Services Replaced	Services Tied Over
18-0214199-00	Sherwood Drive	1,024 11	2" PMMP 2" CSMP	18	2" C 1967	COMPLETE	5	2
				346	2" PL 1971			
				730	1.25" PL 1971			
				5	2" PL 1985			
				2	2" PL 1986			
		1,035	Total Installed	1,101	Total Retired		7 Total Services	
18-0214201-00	1695 Lincoln Way E	1,475	2" PMMP	1,496	1968 Plastic	COMPLETE	4	1
				3	2005 Plastic			
		1,475	Total Installed	1,499	Total Retired		5 Total Services 2 Abandoned Services	

Aldyl-A Projects								
18-0214203-00	1712 Lincoln Way E	950	2" PMMP	310 358 447	2" PL 1970 Interspersed Pre 1965 CS	COMPLETE	13	
All Aldyl-A in system is retired, remaining section is Pre-1965 coated steel		1,126	Total Installed (as of 7/11/18)	1,115	Total Retired		13 Total Services	
		3,636	Total Installed	2,882	Total Aldyl-A Retired			

Coated Steel Projects								
<i>Job Order Number</i>	<i>Name</i>	<i>Footage Installed</i>	<i>Type</i>	<i>Footage Retired</i>	<i>Type</i>	<i>Status</i>	<i>Services Replaced</i>	<i>Services Tied Over</i>
18-0214283-00	Saint Johns Drive	669 6	4" PMMP 2" PMMP	692 4 7 29 2 24	4" CS 1962 4" CS 2005 4" PL 2005 2" PL 1987 2" PL 1800 4" PL 1987	COMPLETE	2	3
		675	Total Installed	758	Total Retired		5 Total Services	
18-0214330-00	Woodstock Rd	2,636 2,367	2" PMMP 4" PMMP	3,916 1,050 402 1 3	2" Pre-1965 CS 4" Pre-1965 CS 2" Post-1965 CS 4" Post-1965 CS 4" PL 2003	COMPLETE	10	12
		5,024	Total Installed	5,372	Total Retired		0 Remaining 32 Total Services	
18-0214364-02	Harvest Lane	3,624 2,533 2,276	2" PMMP 4" PMMP 6" PMMP	783 2,227 4,666 353 191	1.25" Pre-165 CS 2" Pre-1965 CS 4" Pre-1965 CS 2" PMMP 4" PMMP	COMPLETE	30	59
		8,433	Total Installed	8,220	Total Retired		0 Total Services	
18-0214362-00	Greenlea Way	2,850 5,067 2,985	2" PMMP 4" PMMP 6" PMMP	148 11,019	Plastic Pre-1965 CS	COMPLETE	21	
		11,301	Total Installed	11,167	Total Retired		0 Total Services	
18-0214316-00 Pre-1965 CS	Falling Spring Rd	6,305 4,725	2" PMMP 4" PMMP	695 7,285 4,780 336	1.25" Pre-1965 CS 2" Pre-1965 CS 4" Pre-1965 CS 6" Pre-1965 CS	COMPLETE	33	
		11,434	Total Installed	13,096	Total Retire		0 Total Services	

**Appendix A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement's Investigation of Columbia Gas of Pennsylvania, Inc.'s Overpressure Incidents that occurred in Rimersburg, PA and Fayetteville, PA : : : : : Docket No. M-2021-3005572

Proposed Ordering Paragraphs

1. That the Revised Joint Petition for Approval of Settlement filed on March 17, 2023 between the Commission's Bureau of Investigation and Enforcement and Columbia Gas of Pennsylvania, Inc. is approved in its entirety without modification.

2. That, in accordance with Section 3301(c) of the Public Utility Code, 66 Pa.C.S. § 3301(c), within thirty (30) days of the date this Order becomes final, Columbia Gas of Pennsylvania, Inc. shall pay a civil penalty of Five-Hundred Thirty-Five Thousand Dollars (\$535,000.00). Said payment shall be made by certified check or money order payable to "Commonwealth of Pennsylvania" and shall be sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission

Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

3. That no amount of the civil penalty shall be passed through as an additional charge to customers of Columbia Gas of Pennsylvania, Inc.

4. Columbia Gas of Pennsylvania, Inc. agrees to promptly take the numerous corrective actions as expressly set forth in the Settlement Agreement that have yet to be implemented, if any.

5. A copy of this Opinion and Order shall be served upon the Financial and Assessment Chief, Bureau of Administration.

6. That upon receipt of the civil penalty, the above-captioned matter shall be marked closed.

**Appendix B
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement's Investigation of Columbia Gas of Pennsylvania, Inc.'s Overpressure Incidents that occurred in Rimersburg, PA and Fayetteville, PA : : : : : Docket No. M-2021-3005572

**THE BUREAU OF INVESTIGATION AND ENFORCEMENT'S
STATEMENT IN SUPPORT OF THE
REVISED JOINT PETITION FOR APPROVAL OF SETTLEMENT**

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.231, 5.232 and 69.1201, the Pennsylvania Public Utility Commission's ("Commission" or "PUC") Bureau of Investigation and Enforcement ("I&E"), a signatory party to the Revised Joint Petition for Approval of Settlement ("Settlement" or "Settlement Agreement") filed in the matter docketed above, submits this Statement in Support of the Settlement Agreement between I&E and Columbia Gas of Pennsylvania, Inc. ("Columbia Gas" or "Company")¹⁵ I&E avers that the terms and conditions of the Settlement Agreement are just and reasonable and in the public interest for the reasons set forth below herein.

I. Background

I&E's investigation concerned overpressure incidents which occurred at Columbia Gas distribution networks in Rimersburg, Pennsylvania and Fayetteville, Pennsylvania. The overpressure incidents were the result of leaking bypass valves which allowed excess gas into the system.

A. Distribution System in Rimersburg, Pennsylvania

This matter began on or about June 12, 2018, when a Columbia Gas regulator technician changing the pressure charts at the Cherry Run Regulator Station R-4046 discovered that the Rimersburg system had recently experienced an overpressure event. The Station R-4046 pressure recording chart showed that from May 16, 2018, to June 12, 2018, the pipeline system, 37022302, had daily spikes up to 27 inches of water column. This system was a two-way feed with regulator stations at each end and had a MAOP of 14 inches of water column. Station

¹⁵ I&E and Columbia Gas are collectively referred to herein as the "Parties."

R-4046 had an inlet MAOP of 125 pounds per square inch gauge (“psig”) and an outlet MAOP of 110 psig.¹⁶

I&E determined that this overpressure occurred because dried grease on the bypass valve to the main pipeline prevented the valve from sealing when a technician applied new grease to the valve. On June 19, 2018, I&E Pipeline Safety inspectors witnessed this valve being tested by Columbia Gas technicians. The valve was a 2” Nordstrom Valve Fix 143 Number 5265. The valve testing took place at the Company’s York location, with a Company employee performing the test by connecting two pieces of pipe to either side of the valve and then putting air pressure on a side to indicate if air would leak. The Columbia Gas technician put 52 psig in the pipe, and it immediately leaked through the valve. Columbia Gas believes that during the routine inspection, when the valve was turned and regreased, new grease failed to enter the valve which caused it not to form a tight seal. After a second test, the valve did not leak any further air pressure.

B. Distribution System in Fayetteville, Pennsylvania

The second system in Fayetteville served 966 active customers at the time of the incident. I&E found that between January 9, 2018 and January 12, 2018, the Ausherman Regulator Station, R-3523, located in Fayetteville, was overpressurized on three occasions because a technician failed to fully close the bypass valve after the valve had been opened to address a supply shortage.¹⁷

During the three (3) overpressure events, the open bypass valve allowed upstream pressure to the R-3523 Station to bypass the regulator set and cause the system to exceed the MAOP of 45 psig, reaching a pressure of 117 psig, which is 160% of the MAOP. I&E understands that three (3) overpressure events occurred on the following occasions:

1. On January 9, 2018, the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 77 psig.
2. On January 10, 2018, the pressure exceeded the MAOP of 45 psig for two hours, reaching approximately 52 psig.
3. From January 11, 2018 to January 12, 2018, the pressure exceeded the MAOP of 45 psig for twenty-one hours, reaching approximately 107 psig.

¹⁶ Columbia Gas technicians then arrived at the Station, installed pressure gauges, deactivated all affected customer meters, and discovered 13 meter sets were affected along the approximately 3,000 feet of main line. The technicians verified that when they reactivated the system, a blockage was detected in the main line.

I&E Pipeline Safety inspectors arrived at the Station to witness Columbia Gas technicians locate the water blockage in the main line. The technicians detected the water blockage in the bare steel main line, found the line to be corroded, and discovered a water leak after an attempt to repair the line. Columbia Gas classified this as a “Grade 2” leak. Columbia Gas then installed a drip tank on the line and verified that the overpressure events did not damage any inside house lines or appliances. The I&E Pipeline Safety inspectors also ordered Columbia Gas to perform leak surveys every six hours on the line. On June 15, 2018, Columbia Gas installed numerous clamps on the line to repair the leaks. The section of pipeline that was overpressurized was taken out of service and replaced as of December 7, 2018. However, the replacement was not due to the overpressure event but, rather, due to the age and condition of the facilities.

¹⁷ On January 12, 2018, a Columbia Gas technician determined that the system was overpressurized when repairing a meter that was struck by a vehicle. I&E Pipeline Safety inspectors were contacted by a Columbia Gas Compliance Manager and notified of an overpressure on the Fayetteville area system. Columbia Gas personnel informed the I&E inspectors of the overpressure, reported that the system was a two-way feed, and that no outages were reported due to the overpressure.

The I&E Pipeline Safety inspectors alongside Columbia Gas personnel then inspected Station R-3523 and reviewed the pressure chart. It was discovered that when the chart was previously changed, the chart recorded the inlet pressure in the system which caused the time to be marked incorrectly and required the chart to be read several hours ahead of time. The R-3523 Station operates with an inlet MAOP of 125 psig, and outlet MAOP of 45 psig. With Columbia Gas’s assistance reading the chart, it was determined that overpressure events occurred on three (3) occasions from January 9, 2018 to January 12, 2018.

Columbia Gas reported that subsequent to discovering the overpressure events, from January 12, 2018 to January 26, 2018, it received 62 odor of gas calls, both from the public and self-generated. Of the 62 calls, 21 calls were deemed “Grade 1” leaks, or hazardous leaks requiring immediate repair. On February 16, 2018, following a leak survey, Columbia Gas reported a total of 193 leaks had been found in the Fayetteville system. Columbia Gas also noted that the majority of identified leaks were from mechanical fitting failures for meter sets. I&E found that this exceedance of MAOP from an engineering perspective compromised the integrity of the system and warranted an evaluation of the total system to determine whether and how much of the system warranted replacement. After conducting leak surveys, Columbia Gas developed a plan to replace over one-third of the entire system. See Columbia Attachment 1.

II. The Public Interest

Pursuant to the Commission’s policy of encouraging settlements that are reasonable and in the public interest, the Parties held a series of settlement discussions to reach the original Settlement which was filed with the Commission on June 8, 2021. Due to the desire for additional information as set forth in the May 20 Order, the matter was referred back to I&E at which time I&E and Columbia Gas engaged in further discussions in order to address the issues raised in the May 20 Order. These discussions culminated in the revised Settlement Agreement, to which this Statement in Support is attached, which, once approved, will resolve all issues related to I&E’s investigation involving allegations related to the overpressure events at Columbia Gas’s distribution systems in Rimersburg, Pennsylvania and Fayetteville, Pennsylvania.

The terms of the Settlement Agreement, as discussed in more detail below, fully address all allegations brought forth against Columbia Gas and provide not only a substantial civil penalty, but a voluntary modification of the Company’s operational practices. I&E’s approach of seeking a civil penalty and modifications to the Company’s operational practices seeks to ensure that Columbia Gas operates its facilities and uses equipment within the standards expected by the Commission, as well as ensure the safety of its personnel and the public at large.

Although I&E and Columbia Gas may disagree with respect to I&E’s factual allegations, the Company recognizes the need to prevent a similar incident from reoccurring. Further, I&E recognizes that, given the inherent unpredictability of the outcome of a contested proceeding, the benefits of amicably resolving the disputed issues through settlement outweigh the risks and expenditures of litigation. I&E submits that the Settlement, as revised, constitutes a reasonable compromise of the issues involved and is in the public interest as it provides for a number of relevant corrective measures as well as a civil penalty. As such, I&E respectfully requests that the Commission approve the Settlement without modification so that these important public benefits may be realized expeditiously.

III. Terms of Settlement

Under the terms of the Settlement Agreement, I&E and Columbia Gas have agreed to the following:

A. Civil Penalty

1. Columbia Gas agrees to pay a total civil penalty of \$535,000. Said payment shall be made within thirty (30) days of the date of the Commission’s Final Order approving the Settlement Agreement and shall be made by

certified check or money order payable to the “Commonwealth of Pennsylvania.” The docket number of this proceeding shall be indicated with the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

Columbia Gas will not seek recovery of any portion of the total civil penalty amount of \$535,000 in any future ratemaking proceeding, and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

B. Voluntary Modification of Business Practices

2. In 2019, Columbia Gas implemented the Safety Management System (“SMS”), which is a comprehensive approach to managing safety, emphasizing continual assessment and improvement and mitigating potential risks before they happen. Columbia Gas has included the issues of bypass valves in its SMS process (including determining whether they are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves). Columbia Gas will update I&E on its findings and proposed process changes that result from SMS;

3. As part of its Gas Distribution Integrity Management Program (“DIMP”), Columbia Gas has included the issues of bypass valves (including the determination of whether bypass valves are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves) in its identification and ranking of risk, segment by segment, across its system:

a. As part of the process to integrate the valves into the DIMP plan, Columbia Gas is conducting an inventory of all bypass valves in its system in Pennsylvania. The inventory first focused on regulator stations on low pressure stations (completed as of December 31, 2021) and stations with greater than 125 psig inlet pressure (completed as of March 31, 2022). Columbia Gas will complete inventory of the remaining systems within one (1) year from the effective date of the settlement order;

b. In this inventory, Columbia Gas shall identify, at a minimum, manufacture, installation year, size, and whether the valve has a way to identify the position of the valve (whether it is on or off);

c. This inventory shall also include inlet and outlet pressures of the station;

d. From this list, Columbia Gas shall develop a process to rank the risk specifically on the bypass valves across the distribution system, and;

e. Columbia Gas shall develop a replacement schedule or preventative and mitigative measures to prevent bypass valves from bleeding though or failing.

4. Columbia Gas shall abide by its newly implemented procedures regarding the use of bypass valves so that

technicians properly determine whether bypass valves are opened or closed and in proper working order;¹⁸

5. In addition to the above-mentioned procedures regarding bypass valves, Columbia Gas shall also abide by the following Operational Notice issued by NiSource Inc.:

a. Operational Notice 19-05: there is a minimum 30-minute requirement to monitor downstream pressure at the end of all work performed in a regulator station when that work has involved bypassing the station to ensure the downstream pressure has stabilized. This work shall always be performed with two qualified metering and regulation (“M&R”) personnel.

b. If a bypass valve is operated, Columbia Gas shall observe and record the downstream pressure on the following day and observe and record the downstream pressure. This process should occur on all stations with bypass valves until non-primary reliefs or remote pressure monitoring can be installed at these stations, at which time Columbia Gas should reevaluate the need to continue this process.

6. Columbia Gas has improved its active monitoring, remote access and non-primary reliefs on its regulator stations that include bypass valves.

a. With regard to low pressure systems, Columbia Gas will continue the program initiated in 2019, under which the Company began installing monitor regulators that are designed to slam shut when the pressure is either too low or too high for the systems to function correctly.

b. In addition to these slam shut regulators, on its low pressure systems Columbia Gas will continue to install remote monitoring devices that communicate directly with gas control that have set parameters that allow Columbia Gas to respond should pressure exceed either the high or low set points.

c. Regarding its entire distribution network, Columbia Gas has initiated a program to install remote electronic pressure monitoring devices which will warn Columbia Gas when pressures increase. Under that program, Columbia Gas will also:

i) Install a non-primary relief for each system that utilizes a bypass valve to prevent future overpressures and prevent similar instances while giving Columbia Gas more information and time to respond to events;

ii) Prioritize systems identified as higher risk for installations of non-primary relief valves, and;

iii) Provide I&E with a timeframe for the installation of downstream monitors, slam shut regulators and bypass valves;

7. Columbia Gas has added fields to its inspection forms regarding bypass valves to record pressure measured at the beginning and end of the monitoring period established under Operational Notice 19-05.

8. Beginning April 27, 2021, Columbia Gas has implemented pilot Standard Operating Procedures regarding

¹⁸ Such procedures, which include specific steps relating to verification of closed valves, have been added to Columbia Gas’s bypass valve operation procedures. Those steps include:

- Screwing the control regulator all the way down (wide open);
- Determining the monitor regulator set-point as indicated in the regulator inspection record;
- Adjusting the bypass valve to achieve an outlet pressure setting lower than the desired monitor regulator and set-point;
- Slowly increasing the monitor regulator set-point and have the bypass valve operator start to close the bypass valve as the monitor regulator picks up the load on the system;
- Verifying that the bypass valve is fully closed; and
- Adjusting the control regulator to its desired set-point.

shut down and start up of District Regulator Stations. Following those standard operating procedures, the Company will ensure that the following queries will be answered as part of each inspection:

- a. Does the regulator station include a bypass valve? Y/N
- b. Is the bypass valve marked to indicate when it is fully closed, Y/N, or does it have a stop? Y/N
- c. How is the valve marked to indicate that it is fully closed?

Upon Commission approval of the Settlement, as revised, in its entirety without modification, I&E shall be deemed to have released Columbia Gas from all past claims that were made or could have been made by the Commission for monetary and/or other relief based on allegations that the Company failed to comply with the allegations that were subject of I&E's investigation.

I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement, as revised consistent with the May 20 Order, is in the public interest and fully consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement, as revised, is in the public interest because it effectively addresses I&E's allegations that are the subject of I&E's investigation, responds to the concerns set forth in comments to the original settlement and memorialized in the May 20 Order, promotes public and facility safety, and avoids the time and expense of litigation, which entails hearings, travel for Respondent's witnesses, and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals.

Moreover, the additional information provided by the Company in Columbia Attachment 1 to this Revised Joint Petition, as well as additional information set forth in the body of the Settlement and Statements in Support, expressly and specifically address the concerns raised in the May 20 Order. Columbia Attachment 1 sets forth in detail the Fayetteville System 45,000+ feet of facilities replaced, first categorizing the various projects by material type (Bare Steel, Aldyl-A, Coated Steel), listing the Job Order Numbers under each material type, and providing detail regarding the footage installed and the footage retired. See Columbia Attachment 1.

As to the Parties' positions on the Company's ability to recover/seek cost recovery of the cost of replacement facilities in rate base, there was never any disagreement between the Parties regarding the Company's ability to seek recovery of the cost of replacement facilities in rate base. The reference in I&E's Statement in Support to the initial Settlement Petition that the Company did "bear the expense" of the facilities replacement was meant to express only that Columbia Gas made the necessary capital expenditure outlay to get the replacement started in an expedited fashion and was not intended to suggest that the Company had agreed not to ultimately seek recovery of those costs. I&E regrets the confusion. I&E avers that the determination of cost recovery is best suited to be raised in a Columbia Gas base rate proceeding, and not in this Settlement. Consistent with other settlements, Columbia Gas did agree to not seek recovery of any portion of the total civil penalty in any ratemaking proceeding, but no utility, including Columbia Gas in this instance, is precluded from potentially seeking cost recovery of costs incurred or to justify a proposed rate increase and this Settlement contained no agreement here to the

contrary. This revised Settlement clarifies that there is no agreement that the Company would bear the expense of the replacement without seeking rate recovery. It is during a rate proceeding that parties such as statutory advocates have the opportunity to challenge such evidence, and demand such accountings from the filing utility.¹⁹ Consequently, whether Columbia Gas will or will not seek or has or has not sought recovery of costs is not a necessary component of this Settlement that amicably resolves safety concerns and implements remedial measures that are clearly in the public interest.

Lastly, with regard to clarity regarding what damage to customer property resulted due to the overpressure events, the Parties have made it clear that no personal injury or customer property damage occurred as a result of the overpressure events in the Rimersburg and Fayetteville systems. Columbia Gas original Statement in Support at 11; I&E original Statement in Support at 18. Columbia Gas provides supplemental information that for Rimersburg, while there was no customer property damage, there was a necessity to relight some customer appliances which resulted in the shutdown of service to 12 customers for a cumulative total of only 7 hours.

IV. *Legal Standard for Settlement Agreements*

The Commission's policy is to promote settlements. See 52 Pa. Code § 5.231. Settlements lessen the time and expense that the parties must expend litigating a case and, at the same time, conserve precious administrative resources. Settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. "The focus of inquiry for determining whether a proposed settlement should be recommended for approval is not a 'burden of proof' standard, as is utilized for contested matters." *Pa. Pub. Util. Comm'n, et al. v. City of Lancaster—Bureau of Water*, Docket Nos. R-2010-2179103, et al. (Order entered July 14, 2011). Instead, the benchmark for determining the acceptability of a settlement is whether the proposed terms and conditions are in the public interest. *Pa. Pub. Util. Comm'n v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

I&E submits that approval of the Settlement Agreement in the above-captioned matter, as revised per the May 20 Order, is consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations ("Policy Statement"), 52 Pa. Code § 69.1201; see also *Joseph A. Rosi v. Bell-Atlantic-Pennsylvania, Inc.*, Docket No. C-00992409 (Order entered March 16, 2000). The Commission's Policy Statement sets forth ten (10) factors that the Commission may consider in evaluating whether a civil penalty for violating a Commission order, regulation, or statute is appropriate, as well as whether a proposed settlement for a violation is reasonable and in the public interest. 52 Pa. Code § 69.1201.

The Commission will not apply the factors as strictly in settled cases as in litigated cases. 52 Pa. Code § 69.1201(b) (emphasis added). While many of the same factors may still be considered, in settled cases, the parties "will be afforded flexibility in reaching amicable resolutions to complaints and other matters as long as the settlement is in the public interest." *Id.*

The first factor considers whether the conduct at issue was of a serious nature, such as fraud or misrepresenta-

¹⁹ Subsequent to the events at issue that occurred in 2018, Columbia Gas filed base rate cases in 2020 (Docket No. R-2020-3018835), 2021 (Docket No. R-2021-3024296), and 2022 (Docket No. R-2022-3031211).

tion, or if the conduct was less egregious, such as an administrative or technical error. Conduct of a more serious nature may warrant a higher civil penalty while conduct that is less egregious warrants a lower amount. 52 Pa. Code § 69.1201(c)(1). I&E alleges that the conduct in this matter involves overpressure events at two locations, one of which occurred over a course of twenty-six (26) days from May, 16, 2018 to June, 12, 2018, at the Company's Rimersburg System and the other occurred over a course of four (4) days at the Company's distribution system in Fayetteville, Pennsylvania. Both of these incidents occurred due to inadequate use and maintenance of bypass valves, and the subsequent leak of gas from such bypass valves causing the systems to overpressurize. I&E notes that no individual was harmed during the aforementioned overpressure events, nor did any customer property damage occur as a result of those events.

Nevertheless, I&E found that as a consequence of the overpressure incidents at Columbia Gas's Rimersburg and Fayetteville systems, including the duration of the incidents and the serious nature of the actions that led to the incidents, members of the public were put at grave risk of injury. Because safe and adequate service to the public is a major concern when gas safety incidents occur, I&E considers the consequences of the incidents mentioned in Section I of this Statement in Support to be of a serious nature, which warrants a higher civil penalty.

The second factor considers whether the resulting consequences of the Company's alleged conduct were of a serious nature. When consequences of a serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty. 52 Pa. Code § 69.1201(c)(2). I&E submits that no personal injury or customer property damage occurred as a result of the alleged violations. Nonetheless, the overpressure incidents at Columbia Gas's Rimersburg and Fayetteville systems, including the duration of the incidents and the serious nature of the actions that led to the incidents, members of the public were put at risk.

The third factor to be considered under the Policy Statement is whether the alleged conduct was intentional or negligent. 52 Pa. Code § 69.1201(c)(3). "This factor may only be considered in evaluating litigated cases." Id. Whether Columbia's alleged conduct was intentional or negligent does not apply since this matter is being resolved by settlement of the Parties.

The fourth factor to be considered is whether Columbia Gas has made efforts to change its practices and procedures to prevent similar conduct in the future. 52 Pa. Code § 69.1201(c)(4). Columbia Gas has cooperated with I&E's investigation in order to address and correct the alleged violations stemming from the incidents at the Rimersburg system and Fayetteville system. Columbia Gas cooperated with safety recommendations from I&E Pipeline Safety inspectors, including, inter alia, maintaining weekly or monthly leak surveys, repairing all leaks that were detected in the system, and continuing daily odorant level verifications. In regard to the Fayetteville system, Columbia Gas has replaced 3,748 feet of bare steel, 38,613 feet of coated steel, and 6,597 feet of plastic with 40,500 feet of polyethylene medium pressure plastic ranging in size from 2 to 6 inches. See Columbia Attachment 1. Regarding the Rimersburg system, Columbia Gas removed the Regulator Station R-4046 on Cherry Run Road. In December of 2018, Columbia Gas replaced the overpressurized pipe sections in the Rimersburg system with a medium pressure system, to ensure safe opera-

tion.²⁰ These replacement activities represent significant facilities improvements that will improve the safety profiles of the two systems.

The fifth factor to be considered relates to the number of customers affected by the Company's actions and the duration of the violations. 52 Pa. Code § 69.1201(c)(5). I&E discovered that the Company's Rimersburg system served 420 active customers and its Fayetteville system served 966 active customers at the time of the events. While no customers were harmed by the overpressure incidents, such customers were affected by the adequacy and safety of gas service from Columbia Gas's systems and the dangers the overpressure events posed over the course of days and weeks.

The sixth factor to be considered relates to the compliance history of Columbia Gas. 52 Pa. Code § 69.1201(c)(6). An isolated incident from an otherwise compliant company may result in a lower penalty, whereas frequent, recurrent violations by a company may result in a higher penalty. Id. When reviewing the compliance history of Columbia Gas, previous overpressure incidents allegedly occurred in 2014. See *Pennsylvania Pub. Util. Comm'n, Bureau of Investigation & Enft v. Columbia Gas of Pennsylvania*, No. M-2014-2306076, 2014 WL 2644843 (June 5, 2014). This compliance history was considered when reaching an amicable civil penalty.

The seventh factor to be considered relates to whether the Company cooperated with the Commission's investigation. 52 Pa. Code § 69.1201(c)(7). Columbia Gas has cooperated with I&E's investigation in order to address and correct the violations stemming from the incidents at the Rimersburg system and Fayetteville system. Concerning the Fayetteville system, Columbia Gas has replaced 3,748 feet of bare steel, 38,613 feet of coated steel, and 6,597 feet of plastic with 40,400 feet of polyethylene medium pressure plastic ranging in size from 2 to 6 inches. Regarding the Rimersburg system, Columbia Gas removed the Regulator Station R-4046 on Cherry Run Road. I&E understands that Columbia Gas has replaced the over-pressurized pipe sections in the Rimersburg system with a medium pressure system, to ensure safe operation. That replacement was completed to address the age and condition of those facilities and was not a result of the over-pressurized facilities in Rimersburg. Columbia Gas has further cooperated with safety recommendations from I&E Pipeline Safety inspectors, including, inter alia, maintaining weekly or monthly leak surveys, repairing all leaks that were detected in the system, and continuing daily odorant level verifications. In the Company's Fayetteville system, over one-third of the pipeline facilities were replaced.

The eighth factor to be considered is the appropriate settlement amount necessary to deter future violations. 52 Pa. Code § 69.1201(c)(8). I&E submits that a civil penalty amount of \$535,000.00, which is not tax deductible, in addition to business practice changes/modifications to be implemented by the Company is substantial and sufficient to deter future overpressure incidents at Columbia Gas' Rimersburg and Fayetteville systems, including the duration of the incidents and the serious nature of the actions that led to the incidents.

The ninth factor to be considered relates to past Commission decisions in similar situations. 52 Pa. Code § 69.1201(c)(9). Maximum civil penalties were settled upon or imposed by the Commission when overpressure incidents lead to a death. See *Pa. Pub. Util. Comm'n*,

²⁰ The replacement was necessitated by the age and condition of those facilities, rather than the overpressure event.

Bureau of Investigation and Enforcement v. UGI Utilities, Inc., Docket No. C-2012-2308997, (Initial Decision issued October 31, 2012) (finding that a higher penalty is warranted from an incident involving a gas explosion where life was lost and fire resulted in property damage). In these overpressure incidents, there were no personal injuries or fatalities, and no customer property was damaged. As such, a maximum civil penalty is not applicable here.²¹ The Commission has also imposed lesser penalties to resolve various federal and state gas safety violations. See, e.g., *Pennsylvania Pub. Util. Comm'n L. Bureau Prosecutory Staff v. UGI Utilities, Inc.*, No. C-2009-2120601, 2010 WL 4809927 (Nov. 19, 2010) (Order entered November 19, 2010). The Commission further has imposed lesser civil penalty amounts for violating § 1501. *Wilmer Baker v. Sunoco Pipeline, L.P.*, No. C-2018-3004294, 2020 WL 5877007 (Sept. 23, 2020) (imposing a \$1,000 civil penalty when an overpressure incident only affected 1 person, the gas company was directed to enhance and improve the pipeline's safety, and nobody was injured.)

The tenth factor considers "other relevant factors." 52 Pa. Code § 69.1201(c)(10). In support of the \$535,000.00 civil penalty, I&E notes that Columbia Gas has been credited for retiring over 45,000 feet of pipe upon request from I&E safety inspectors to resolve the overpressure incidents and mitigate further overpressure incidents. Also, a maximum civil penalty is unnecessary because Columbia Gas promptly complied and cooperated with I&E to resolve the issues that included a large replacement of their Fayetteville pipeline, and Columbia Gas does not have an extensive history of being noncompliant with Commission regulations. *Pub. Util. Comm'n v. Philadelphia Gas Works*, No. C-2011-2278312, 2013 WL 3928985 (July 16, 2013) (PGW) (imposing the maximum civil penalty when an explosion caused 6 injuries and 1 death, and while PGW voluntarily cooperated with I&E to resolve the issues, the maximum civil penalty allowed at the time was imposed due to the deaths and to deter future violations.) Following the above, the civil penalty is appropriate given that Columbia Gas's overpressure incidents neither resulted in a fire or explosion nor caused personal injury or property damage. As consequences of a serious nature did not ensue, alongside Columbia Gas

cooperating with I&E's investigation and the Company's replacement of more than 45,000 feet of its Fayetteville system pipeline, this factor weighs in favor of an agreed upon civil penalty of \$535,000. Cf., *Pennsylvania Pub. Util. Comm'n, Bureau of Investigation & Enft v. Sunoco Pipeline, L.P.*, No. C-2018-3006534, 2019 WL 7403545 (Dec. 18, 2019) (imposing civil penalty of \$200,000 when Sunoco experienced a leak due to corrosion, which only potentially affected very few customers.) All of these factors, in addition to the allegations brought forth that initiated I&E's informal investigation, fully support the civil penalty amount and the modification of operational practices to be taken by Columbia Gas and are in the public interest.

In conclusion, I&E fully supports the terms and conditions of the Settlement Agreement, as revised. The terms of the Settlement Agreement reflect a carefully balanced compromise of the interests of the Parties in this proceeding. The Parties believe that approval of this Settlement Agreement, as revised per the May 20 Order, is in the public interest. Acceptance of this Settlement Agreement avoids the necessity of further administrative and potential appellate proceedings at what would have been a substantial cost to the Parties.

Wherefore, I&E supports the Settlement Agreement, as revised, as being in the public interest and respectfully requests that the Commission approve the Revised Joint Petition for Approval of Settlement in its entirety without modification.

Respectfully submitted,

Michael L. Swindler
Deputy Chief Prosecutor
PA Attorney ID No. 43319

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-6369
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Dated: March 17, 2023

Appendix C
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement's
Complainant,

v.

Columbia Gas of Pennsylvania, Inc.,
Respondent

Docket No. M-2021-3005572

COLUMBIA GAS OF PENNSYLVANIA, INC.'S
STATEMENT IN SUPPORT OF REVISED JOINT
PETITION FOR APPROVAL OF SETTLEMENT
TO THE HONORABLE PENNSYLVANIA PUBLIC UTIL-
ITY COMMISSION:

Columbia Gas of Pennsylvania, Inc. ("Columbia Gas" or "the Company"), by and through its counsel, hereby

respectfully submits its Statement in Support of the Revised Settlement Agreement ("Settlement Agreement") submitted in the captioned proceeding. The terms and conditions of the Settlement Agreement are in the public interest and represent a fair, just, reasonable, and equitable resolution of the matters described therein. Approval of the Settlement Agreement is consistent with the Commission's Policy Statement for Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations, 52 Pa. Code § 69.1201.

²¹ Under 49 U.S.C. 60101, the allowable civil penalty for this matter is \$209,002 for each violation for each day the violation continues, with a maximum penalty not to exceed \$2,090,022 for a related series of violations. This means that the maximum civil penalty could potentially be applied to the Rimersburg and Fayetteville incidents separately, or a total of \$4,180,044.

Columbia Gas and the Commission's Bureau of Investigation and Enforcement ("I&E") engaged in extensive exchange of information and negotiation and, as a result, I&E and the Company have agreed upon the terms embodied in the Settlement Agreement. Columbia Gas submits that the Settlement Agreement is in the public interest, as supported by the following factors:

I. Background

1. As the Revised Joint Petition for Approval of Settlement ("Joint Petition") indicates, this matter involves allegations related to overpressure events that occurred in Columbia Gas's distribution systems in Fayetteville, Pennsylvania and Rimersburg, Pennsylvania.

2. I&E and other bureaus with enforcement authority are the entities established by statute to initiate proceedings against public utilities that are prosecutory in nature. (Delegation of Prosecutory Authority to Bureaus with Enforcement Responsibilities, M-00940593, Order entered September 2, 1994), as amended by Act 129 of 2008, 66 Pa.C.S.A. § 308.2(a)(11). Moreover, pursuant to Section 59.33(b) of the Commission's regulations, 52 Pa. Code § 59.33(b), I&E's Safety Division has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101—60503 and as implemented at 49 CFR Parts 191—193, 195 and 199.

3. Columbia Gas has its principal place of business located in Canonsburg, Pennsylvania and, at all times relevant to this proceeding, was a public utility as defined by 66 Pa.C.S. § 102, engaged in providing natural gas service to the public for compensation.

4. I&E and Columbia Gas ("the Parties") successfully negotiated a resolution regarding the overpressure events at issue that included Columbia Gas's agreement to pay a \$535,000 civil penalty and to revise several business practices. The Parties sought Commission approval of that resolution by way of a joint petition filed on June 8, 2021. After considering comments filed by interested parties, in an Order entered May 20, 2022 ("May 20 Order"), the Commission determined that further development of a complete record would be necessary before a decision on appropriate remedies regarding the Rimersburg and Fayetteville events could be rendered. Accordingly, the Commission referred the matter back to I&E for further development of the record regarding the following issues:

- clarification of exactly what facilities required replacement;
- Columbia Gas's ability to recover/seek recovery of replacement facilities in rate base;
- what damage occurred to customer property due to the overpressurization events. I&E and Columbia have further developed the record according to the Commission's directive in the Revised Joint Petition, in revised Settlement Agreement language, and in Statements in Support submitted therewith.

II. Parties' Positions

5. The averments of I&E included in the Settlement Agreement were formulated without the benefit of a hearing and certain averments are or may be disputed by Columbia Gas.

6. The Parties' agreement to settle the matters described in I&E's averments was made without any admission or prejudice to any position that they might adopt during any subsequent administrative or court proceeding of whatever nature, including any necessary subsequent

litigation of the issues addressed in the Settlement Agreement if this settlement is rejected by the Commission or otherwise properly withdrawn by either of the parties.

III. Settlement Agreement

7. The parties to the Settlement Agreement have engaged in extensive and detailed discussions with respect to the allegations and defenses relating to each of the matters described in the Settlement Agreement. The purpose of the Settlement Agreement is to resolve these matters without litigation in a manner that minimizes concerns regarding future similar events.

8. Columbia Gas has been cooperative and pro-active in addressing the concerns identified in the Settlement Agreement.

9. Based upon the foregoing, the parties have agreed to the entry of an Order directing as follows in Paragraphs 10 through 17, below:

10. Columbia Gas agrees to pay a total civil penalty of \$535,000²² to be made within thirty days of the date of the Commission's Final Order approving the Settlement Agreement. Columbia Gas will not seek recovery of any portion of the civil penalty amount in any future ratemaking proceeding and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

11. In 2019, Columbia Gas implemented the Safety Management System ("SMS"), which is a comprehensive approach to managing safety, emphasizing continual assessment and improvement and mitigating potential risks before they happen. Columbia Gas has included the issue of bypass valves in its SMS process (including determining whether they are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves). Columbia will update I&E on its findings and proposed process changes that result from SMS;

12. As part of its Gas Distribution Integrity Management Program ("DIMP"), Columbia Gas has included the issues of bypass valves (including the determination of whether bypass valves are opened or closed, active monitoring, remote access and pressure relief on its regulator stations that include bypass valves) in its identification and ranking of risk, segment by segment, across its system:

- a. As part of the process to integrate the valves into the DIMP plan, Columbia Gas is conducting an inventory of all bypass valves in its system in Pennsylvania. The inventory first focused on regulator stations on low pressure stations (completed as of December 31, 2021) and stations with greater than 125 psig inlet pressure (completed as of March 31, 2022). Columbia Gas will complete inventory of the remaining systems within one (1) year from the effective date of the settlement order;
- b. In this inventory, Columbia Gas shall identify, at a minimum, manufacture, installation year, size, and whether the valve has a way to identify the position of the valve (whether it is on or off);
- c. This inventory shall also include inlet and outlet pressures of the station;

²² The following civil penalty terms are consistent with the Federal pipeline safety regulations under 49 U.S.C. § 60101 et seq., and implemented in 66 Pa. Code § 3301, which at the time of the overpressure incidents requires a \$209,002 maximum civil penalty for each violation for each day the violation continues, with a maximum penalty not to exceed \$2,090,022 for a related series of violations. 49 U.S.C. § 60101 et seq.

d. From this list, Columbia Gas shall develop a process to rank the risk specifically on the bypass valves across the distribution system, and;

e. Columbia Gas shall develop a replacement schedule or preventative and mitigative measures to prevent bypass valves from bleeding though or failing.

13. Columbia Gas shall abide by its newly implemented procedures regarding the use of bypass valves to that technicians properly determine whether bypass valves are opened or closed in in proper working order;²³

14. In addition to the above-mentioned procedures regarding bypass valves, Columbia Gas shall also abide by the following Operational Notice issued by NiSource Inc.:

a. Operational Notice 19-05: there is a minimum 30-minute requirement to monitor downstream pressure at the end of all work performed in a regulator station when that work has involved bypassing the station to ensure the downstream pressure has stabilized. This work shall always be performed with two qualified metering and regulation (“M&R”) personnel.

b. If a bypass valve is operated, Columbia Gas shall observe and record the downstream pressure on the following day and observe and record the downstream pressure. This process should occur on all stations with bypass valves until non-primary reliefs or remote pressure monitoring can be installed at these stations, at which time Columbia Gas should reevaluate the need to continue this process.

15. Columbia Gas has improved its active monitoring, remote access and non-primary reliefs on its regulator stations that include bypass valves.

a. With regard to low pressure systems, Columbia Gas will continue the program initiated in 2019, under which the Company began installing monitor regulators that are designed to slam shut when the pressure is either too low or too high for the systems to function correctly.

b. In addition to these slam shut regulators, on its low pressure systems Columbia Gas will continue to install remote monitoring devices that communicate directly with gas control that have set parameters that allow Columbia Gas to respond should pressure exceed either the high or low set points.

c. Regarding its entire distribution network, Columbia Gas has initiated a program to install remote electronic pressure monitoring devices which will warn Columbia Gas when pressures increase. Under that program, Columbia Gas will also:

(1) Install a non-primary relief for each system that utilizes a bypass valve to prevent future overpressures and prevent similar instances while giving

²³ Such procedures, which include specific steps relating to verification of closed valves, have been added to Columbia Gas’ bypass valve operation procedures. Those steps include:

- Screwing the control regulator all the way down (wide open);
- Determining the monitor regulator set-point as indicated in the regulator inspection record;
- Adjusting the bypass valve to achieve an outlet pressure setting lower than the desired monitor regulator and set-point;
- Slowly increasing the monitor regulator set-point and have the bypass valve operator start to close the bypass valve as the monitor regulator picks up the load on the system;
- Verifying that the bypass valve is fully closed; and
- Adjusting the control regulator to its desired set-point.

Columbia Gas more information and time to respond to events;

(2) Prioritize systems identified as higher risk for installations of non-primary relief valves, and;

(3) Provide I&E with a timeframe for the installation of downstream monitors, slam shut regulators and bypass valves;

16. Columbia Gas has added fields to its inspection forms regarding bypass valves to record pressure measured at the beginning and end of the monitoring period established under Operational Notice 19-05;

17. Beginning April 27, 2021, Columbia Gas has implemented pilot Standard Operation Procedures regarding shut down and start up of District Regulator Stations. Following those standard operating procedures, Columbia Gas will ensure that the following items will be observed as part of each inspections:

Does the regulator station include a bypass valve?
Y/N

Is the bypass valve marked to indicate when it is fully closed, Y/N, or does it have a stop? Y/N

How is the valve marked to indicate that it is fully closed?

18. In consideration of the Columbia Gas’s payment of a civil penalty in the amount of \$535,000, as described herein, and implementation and completion of the measures described above in Paragraphs 10 through 17 of this Statement in Support, I&E has expressly agreed to forbear the institution of any formal complaint or other informal investigation that relates to the Columbia Gas’ conduct as alleged in the Settlement Agreement.

19. Nothing in the Settlement Agreement shall affect the Commission’s authority to receive and resolve any informal or formal complaints filed by any affected party with respect to the alleged events covered by the Settlement Agreement, except that no further enforcement action, including but not limited to civil penalties, shall be imposed by the Commission on Columbia Gas for any actions that are within the scope of the Settlement Agreement.

20. Columbia Gas submits that the Settlement Agreement is in the public interest and, therefore, requests that the Commission approve the Settlement Agreement as in the public interest. The Settlement Agreement is expressly conditioned upon the Commission’s approval under applicable public interest standards without modification, addition, or deletion of any term or condition herein. The parties have agreed that if the Commission Order substantively modifies the terms of the Settlement Agreement, any party may give notice to the other that it is withdrawing from the Joint Petition for Approval of Settlement. Such notice must be in writing and must be given within twenty (20) business days of the issuance of the Final Order which adopts the Settlement Agreement with substantive modifications of its terms. In the event that a party withdraws from the Joint Petition for Approval of Settlement, I&E and Columbia Gas jointly agree that nothing in the Joint Petition shall be construed as an admission against or as prejudice to any position which any party might adopt during litigation of this case.

21. Nothing contained in the Settlement Agreement may be used or construed by any person as an admission of any fact by Columbia Gas. The Settlement Agreement is proposed by the Parties without any admission against, or prejudice to, any position which any Party may adopt during any subsequent administrative or court proceeding of whatever nature.

IV. Further Development of the Record per the Commission's Order of May 20, 2022

22. In its comments submitted on March 16, 2022, the Pennsylvania Office of Consumer Advocate ("OCA") observed that there was a discrepancy in the record about how much plant was replaced in the Fayetteville System. (May 20 Order at 19). As observed by OCA, while the original Petition in this case stated that the exceedance of MAOP on the Fayetteville System warranted total replacement of that twenty-five-mile system, I&E's Statement in Support provided that Columbia Gas replaced only approximately nine miles. In its May 20 Order, the Commission maintained that "the Settlement is not clear on the issue of exactly what facilities required replacement." (May 20 Order at 21). To address the discrepancy that OCA highlighted, the Parties have revised and clarified the Settlement Agreement language, which now provides that

I&E found that this exceedance of MAOP from an engineering perspective compromised the integrity of the system and warranted an evaluation of the condition of the total system to determine whether and how much of the system warranted replacement. Accordingly, Columbia Gas conducted comprehensive leakage surveys and developed a targeted plan to replace approximately 45,000 feet of compromised facilities, or over one-third of the total system.

The Parties have also provided a detailed listing of the replaced facilities in Columbia Attachment 1 to the Settlement Agreement.

With respect to the Rimersburg system, the Settlement Agreement has been revised to note that the section of that system that was overpressurized during May and June of 2018 was initially repaired with clamps, and then taken out of service and replaced as of December 7, 2018, but that the replacement was not due to the overpressurization event but, rather, due to the age and condition of the facilities. (Settlement Agreement, fn 3).

23. Regarding the issue of Columbia Gas's ability to recover/seek recovery of replacement facilities in rate base, in its Statement in Support of the Revised Joint Petition for Approval of Settlement (Appendix B to the Joint Petition), I&E clarifies the portion of its prior Statement in Support of the initial Settlement Petition where I&E referred to Columbia bearing the expense to replace more than 45,000 feet of its Fayetteville System. As explained in that clarification, I&E did not mean to suggest that Columbia Gas had agreed not to seek rate recovery of those costs. While the Settlement Agreement restricts Columbia Gas from seeking rate recovery of any party of the agreed-upon civil penalty—which is a standard provision in such settlements—the Settlement Agreement did not contain any restriction on Columbia's ability to seek rate relief for the costs associated with facility replacement.

The proper venue for consideration of cost recovery for capital expenditures is within the context of base rate

proceedings. Subsequent to the overpressure events at issue that occurred in 2018, Columbia Gas has filed rate cases in 2020 (Docket No. R-2020-3018835), 2021 (Docket No. R-2021-3024296, and 2022 (Docket No. R-2022-3031211). In the 2022 case, which concluded with a final order issued on December 8, 2022, OCA served discovery that sought information from Columbia Gas regarding overpressure events, including the date and location, corrective action taken, expenses and/or capital costs incurred for such events, and whether customer equipment was damaged. The Company's response to that discovery included the requested information regarding the Rimersburg and Fayetteville 2018 events. No party in that rate case, nor in any of the three rate cases listed above, submitted testimony that challenged Columbia Gas's recovery of costs associated with either event.

24. Regarding what damage occurred to customer property due to the overpressure events at issue, both Columbia Gas and I&E observed in their Statements in Support of the initial Settlement Agreement that no such damaged occurred. (Columbia Gas original Statement in Support at 11; I&E original Statement in Support at 18). As Columbia Gas further noted in its Statement in Support of the initial Settlement Agreement, regarding Rimersburg, an oil seal at the regulator station continually relieved pressure during the event. This continual pressure relief functioned as it is designed and prevented injury to persons or property. Regarding Fayetteville, each service line on that system has a service regulator that is rated to at least 125 pounds per square inch gauge ("psig"). While pressure exceeded MAOP during the Fayetteville event, it did not exceed 125 psig. The service regulators protected customers when the pipeline exceeded MAOP but did not exceed 125 psig.

IV. Compliance With The Commission's Policy Statement On Litigated and Settled Proceedings Involving Violation of the Public Utility Code and Commission Regulations

25. Columbia Gas asserts that approval of the Settlement Agreement is consistent with the Commission's Policy Statement for Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations, 52 Pa. Code § 69.1201 ("Policy Statement").

26. Under the Policy Statement, the Commission will consider specific factors when evaluating settlements of alleged violations of the Public Utility Code and Commission's Regulations. These factors are: (1) Whether the conduct at issue was of a serious nature, such as willful fraud or misrepresentation; (2) Whether the resulting consequences of the conduct at issue were of a serious nature, such as personal injury or property damage; (3) Whether the conduct at issue was deemed intentional or negligent (may only be considered when evaluating litigated cases); (4) Whether the regulated entity made efforts to modify internal policies and procedures to address the conduct at issue and prevent similar conduct in the future; (5) The number of customers affected and the duration of the violation; (6) The compliance history of the regulated entity that committed the violation; (7) Whether the regulated entity cooperated with the Commission's investigation; (8) The amount of the civil penalty or fine necessary to deter future violations; (9) Past Commission decisions in similar situations; and (10) Other relevant factors. 52 Pa. Code § 69.1201(c).

27. When applied to settled cases, the Commission will not apply the standards as strictly as it will in litigated cases. 52 Pa. Code § 69.1201(b).

28. With regard to the first standard and starting point in the Policy Statement, whether the conduct at issue was of a serious nature, such as willful fraud or misrepresentation, there is nothing in the record to suggest that Columbia Gas engaged in willful fraud or misrepresentation. Rather, the alleged conduct was in the nature of technical errors, which the Policy Statement characterizes as “less egregious.” Thus, while issues of line pressurization and gas valve operations are, by nature, serious matters, Columbia Gas submits that its conduct at issue was not of a serious nature within the meaning of the Policy Statement, since it did not involve willful fraud or misrepresentation. When Columbia Gas became aware of the overpressure events, the Company apprised the Commission’s Safety Division of these matters immediately.

29. With regard to the second standard set out in the Policy Statement, whether the resulting consequences attributable to the conduct at issue were of a serious nature, such as personal injury or property damage, Columbia submits that its conduct, as described in the Settlement Agreement, did not result in serious consequences. While the incidents described in the Settlement Agreement involved pressure excursions in excess of MAOP, it is important to note that those excursions did not result in any injury to persons or property. Regarding Rimersburg, there was an oil seal at the regulator station at issue which continually relieved pressure on the Rimersburg system during the event, which functioned as it is designed and prevented injury to persons or property. Regarding Fayetteville, each service line on that system has a service regulator that is rated to at least 125 pounds per square inch gauge (“psig”), which protected customers when the pipeline exceeded MAOP but did not exceed 125 psig.

30. Since this is a settled matter, the third standard set out in the Policy Statement, whether the alleged conduct at issue was intentional or negligent, is not at issue.

31. Under the fourth standard in the Policy Statement, the Commission will consider modifications that may include activities such as training and improving company techniques and supervision, as well as the time it took to correct the conduct, and the involvement of top-level management in correcting the conduct. Each of these considerations supports approval of the Settlement Agreement in this matter. The Settlement Agreement describes changes to Columbia Gas training protocols, physical modifications to its distribution system, as well as modifications to its record-keeping protocols. It is noteworthy that Columbia Gas implemented several of its corrective measures prior to the submission of the Settlement Agreement for the Commission’s consideration, such as:

- (a) the 2019 implementation of the Safety Management System;
- (b) the newly implemented procedures regarding the use of bypass valves so that technicians properly determine whether bypass valves are opened or closed and in proper working order;

(c) the implementation of NiSource Inc.’s Operational Notice 19-05;

(d) the program initiated in 2019, under which the Company began installing monitor regulators that are designed to slam shut when the pressure is either too low or too high for the systems to function correctly;

(e) the April 2021 implementation of pilot Standard Operating Procedures regarding shut down and start up of District Regulator Stations.

32. Under the fifth standard in the Policy Statement regarding the number of customers affected and the duration of the violation, the Rimersburg event occurred between May 16, 2018 and June 12, 2018 and the Fayetteville event occurred over the three day period January 9, 2018 through January 12, 2018. The duration of the events is reflected in the proposed civil penalty of \$535,000. The Rimersburg system served 420 active customers and the Fayetteville system served 966 active customers at the time of the events. No customers on these systems lost service due to system failure associated with the events. Rather, temporary service interruptions, lasting only seven hours, impacted twelve customers during the Company’s remediation activities in Rimersburg.

33. Under the sixth standard in the Policy Statement regarding compliance history, in 2014 the Commission assessed a civil penalty of \$200,000 as part of an Order that modified a Settlement Agreement between Columbia Gas and I&E that involved allegations of six instances of overpressurization. See Docket No. M-2014-2306076. The increased civil penalties that have been agreed upon between Columbia Gas and I&E in the instant matter reflect that history.

34. Under the seventh standard in the Policy Statement regarding cooperation with the Commission’s investigation, Columbia Gas cooperated fully with I&E in its investigation. There are no facts alleged that would tend to establish bad faith on the part of Columbia Gas, active concealment of violations, or attempts to interfere with the Commission’s investigation.

35. The eighth standard in the Policy Statement considers the amount of civil penalty necessary to deter future violations. Columbia Gas submits that a civil penalty of \$535,000, in conjunction with the operational modifications that the Company has undertaken, will adequately serve to deter future violations.

36. Regarding the ninth standard in the Policy Statement regarding past Commission decisions in similar situations, please see Paragraph 33, above.

37. Under the tenth standard in the Policy Statement, other relevant factors, Columbia Gas submits that that it is in the public interest to settle this matter so as to avoid the expense of litigation. Moreover, the Settlement is in the public interest because it will result in public benefits that will promote gas safety and reliability in the Company’s service territory.

38. Columbia Gas submits that both Parties’ efforts have resulted in fair and equitable settlement that is in the public interest. The Commission has consistently encouraged settlements to avoid the time and expense

associated with litigation. The Parties submit that the Settlement Agreement, as revised and clarified in accordance with the Commission's May 20 Order, is in the public interest because it recognizes the alleged incidents, while effectively addressing and resolving the issues raised by the investigation, and avoids the time and expense of litigation, which entails hearings, filings of briefs, exceptions, reply exceptions, and appeals. The Company has also agreed to pay a substantial civil penalty and to comply with the Commission's Regulations. The Settlement Agreement clearly meets the standards set forth in Section 69.1201.

Wherefore, Columbia Gas of Pennsylvania, Inc. respectfully requests that the Pennsylvania Public Utility Com-

mission adopt an order approving the terms of the Settlement Agreement as being in the public interest.

Respectfully submitted,
Columbia Gas of Pennsylvania, Inc.

By:

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Date: March 17, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility :
Commission, Bureau of Investigation :
and Enforcement's Investigation of : Docket No. M-2021-3005572
Columbia Gas of Pennsylvania, Inc.'s :
Overpressure Incidents that occurred in :
Rimersburg, PA and Fayetteville, PA :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served by Electronic Mail

Theodore J. Gallagher, Esq.
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Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
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(717) 783-6369
mswindler@pa.gov

Dated: March 17, 2023

PENNSYLVANIA PUBLIC
UTILITY COMMISSION, BUREAU
OF INVESTIGATION AND
ENFORCEMENT
v.

PUBLIC MEETING OF APRIL 20, 2023
3005572-OSA
DOCKET NO. M-2021-3005572

COLUMBIA GAS OF PA, INC.

STATEMENT OF VICE CHAIRPERSON STEPHEN M. DeFRANK

Before joining my staff as legal counsel, Stephanie Wimer was employed in the Commission's Bureau of Investigation and Enforcement and worked on this investigation. Please note that she has not advised me in this matter.

Date: April 20, 2023

Stephen M. DeFrank,
Vice Chairperson

[Pa.B. Doc. No. 23-622. Filed for public inspection May 5, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Columbia Gas of Pennsylvania, Inc.

Public Meeting held
April 20, 2023

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; Stephen M. DeFrank, Vice Chairperson; Ralph V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

*Pennsylvania Public Utility Commission, Bureau of
Investigation and Enforcement v. Columbia Gas of
Pennsylvania, Inc.; M-2022-3012079*

Opinion and Order

By the Commission:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is a proposed Revised Joint Petition for Approval of Settlement (Settlement, Settlement Agreement, or Petition) filed on February 27, 2023, by the Commission's Bureau of Investigation and Enforcement (I&E) and Columbia Gas of Pennsylvania, Inc. (Columbia Gas or the Company) (collectively, the Parties), with respect to an informal investigation conducted by I&E. Both Parties filed Statements in Support of the Settlement. The Parties submit that the proposed Settlement is in the public interest and is consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201, Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations. Petition at 18.

Before issuing a final decision on the merits of the proposed Settlement, and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), we shall publish the Settlement in the *Pennsylvania Bulletin* and provide an opportunity for interested parties to file comments regarding the proposed Settlement.¹

History of the Proceeding

This matter concerns a natural gas explosion that occurred on July 31, 2019, at 100 Park Lane in Washington, Washington County, Pennsylvania (100 Park Lane). At least four individuals were injured as a result of the explosion. No fatalities occurred. The explosion demolished the entire residential structure at 100 Park Lane and caused severe damage to three vehicles that were located on the property. One other residence was condemned as a result of the explosion, and numerous other homes were damaged. Pipeline Safety Inspectors from I&E's Gas Safety Division responded to the scene on the day of the explosion and initiated an investigation. Petition at 5.

Thereafter, the Parties entered into negotiations and agreed to resolve the matter in accordance with the Commission's policy to promote settlements at 52 Pa. Code § 5.231. *Id.* The original Joint Petition for Approval of Settlement (Original Settlement) was filed on March 4, 2022. By Tentative Order entered June 16, 2022, the Commission afforded interested parties an opportunity to file comments on the Original Settlement. Comments were filed by North Franklin Township, Rich-

ard Culbertson, Columbia Gas, Office of Consumer Advocate, and I&E. The Settlement was submitted pursuant to the Commission's Opinion and Order entered December 27, 2022 (December 2022 Order). In the December 2022 Order, the Commission, upon consideration of the comments filed, requested additional information regarding: (1) whether any remedial measures stemming from the 2018 MA Event [an over-pressurization and explosions event caused by Columbia Gas of Massachusetts on September 13, 2018] were recommended for Columbia Gas and, if so, whether they were effectuated; (2) an estimated timeline for completion of each of the corrective actions proposed in the Original Settlement; and (3) an accounting of the monetary damage caused by the explosion and if Columbia ratepayers will be responsible for the financial liability associated with the explosion. December 2022 Order at 23-24. In response, the Settlement addresses each of these matters in Attachments 1 through 3, respectively. As previously indicated, the Parties filed the instant Settlement on February 27, 2023.

Background

The Distribution System

Columbia Gas and NPL Construction Co. (NPL), the construction contractor used by Columbia Gas on this project, were working on an incremental mainline uprating project as part of the Company's "Dewey Avenue Replacement Project" (Project) at the time of the explosion. The Project was a two-phase project initiated by Columbia Gas on March 8, 2019 to install new main and uprate existing main from its operating pressure of Low Pressure (LP), ~ 11 inches of water column, to a Maximum Allowable Operating Pressure (MAOP) of 45 pounds per square inch gauge (psig). The uprate portion of the Project involved facilities on Nokomis Drive, Mineola Avenue, Iola Avenue and Winona Avenue in Washington, PA. It was expected to impact approximately sixty of the Company's customers. Columbia Gas failed to include the residence at 100 Park Lane on the Company's maps for the Project, and, therefore, it was mistakenly omitted from the scope of the Dewey Avenue Replacement Project. While the house did have a different street address from other houses included in the Project, the service line for this residence was tapped off the Company's Mineola Avenue facilities—facilities that were within the scope of the Project. Petition at 5-6.

On August 23, 2019, a joint evaluation was conducted by the State Fire Marshal and I&E Pipeline Safety personnel to determine the cause of the 100 Park Lane explosion. It was determined that the primary cause of the explosion was the over pressurization of the house piping and appliances since the service line to the 100 Park Lane residence was not equipped with a service regulator at the time of the incremental pressure uprating. The source of the gas was surmised to be natural gas leaks occurring around the gas appliances located inside the residence. Petition at 7.

If this matter had been fully litigated, I&E would have proffered evidence and legal arguments to demonstrate that Columbia Gas committed, *inter alia*, the following violations:

- a. Columbia Gas did not use reasonable effort to protect the public from danger in that it failed to identify all gas and non-gas customers within the scope of its Dewey Avenue Replacement Project, an alleged violation of 52 Pa. Code § 59.33(a).
- b. Columbia Gas did not adequately inspect adjacent structures to the gas main(s) involved in the incre-

¹ As discussed, *infra*, because of the nature of the incident as described in the Settlement, it is appropriate to publish the Settlement in the *Pennsylvania Bulletin*.

mental uprating, in that it failed to identify that the service line at 100 Park Lane would be affected by its Dewey Avenue Replacement Project, an alleged violation of 52 Pa. Code § 59.35.

c. Columbia Gas uprating procedures were inadequate in that the procedures failed to require the inspection of all abutting and adjacent structures to gas main(s) involved in an incremental uprating project before significantly increasing the normal operating pressure of a distribution or transmission pipeline, an alleged violation of 49 CFR § 192.13(c).

d. Columbia Gas Incremental Uprate Plan did not identify the adjacent structure of 100 Park Lane as being affected by its Dewey Avenue Replacement Project, an alleged violation of 49 CFR § 192.553(c).

e. Columbia Gas' design failed to include operating, and maintenance history of the segment of pipeline before increasing the operating pressure above the previously established MAOP in that it did not include the service at 100 Park Lane in its design documents and procedures for the uprating project, an alleged violation of 49 CFR § 192.557(b)(1) and 52 Pa. Code § 59.33(a).

f. Columbia Gas' leak survey before increasing the operating pressure above the previously established MAOP from ~ 11 inches of water column to 45 psig did not include 100 Park Lane, an alleged violation of 49 CFR § 192.557(b)(2) and 52 Pa. Code § 59.33(a).

g. Columbia Gas failed to account for the service line at 100 Park Lane and therefore failed to install a service regulator on the service line before the Company increased the operating pressure of the distribution system from ~ 11 inches of water column to 45 psig, an alleged violation of 49 CFR § 192.557(b)(6).

h. Columbia Gas failed to furnish and maintain adequate, efficient, safe and reasonable service and facilities and make such repairs, changes, alterations, substitutions, extensions and improvements in or to it service and facilities necessary or proper for the accommodation and safety of its patrons, employees and the public, thereby placing the safety of its customers, employees and the public in danger, an alleged violation of 66 Pa.C.S. § 1501.

Petition at 12—14.

Columbia Gas fully acknowledges the seriousness of the allegations and recognizes the need to prevent future reoccurrences. Petition at 15.

Terms and Conditions of the Settlement

The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations that are the subject of the I&E informal investigation and addresses the concerns set forth in comments to the Original Settlement, as noted in the December 2022 Order. The Parties aver that the Settlement represents a compromise by both I&E and Columbia Gas of their competing positions. The Parties urge the Commission to approve the Settlement in its entirety and without modification, as being in the public interest and consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201 governing settled proceedings involving violations of the Public Utility Code (Code) and the Commission's Regulations. The Parties further state that the Settlement constitutes a carefully crafted package representing reasonably negotiated compromises on the issues addressed therein. Petition at 20—22.

The Settlement consists of the Revised Joint Petition for Approval of Settlement containing the terms and conditions of the Settlement, Attachments 1 through 3 addressing the additional information requested in the December 2022 Order, Proposed Ordering Paragraphs (Appendix A to the Petition) and the respective Statements in Support of the Settlement of I&E (Appendix B to the Petition) and Columbia Gas (Appendix C to the Petition), filed on February 27, 2023.

The essential terms of the Settlement are set forth in Paragraphs 48-49 of the Petition. Petition at 14—18. These terms and conditions are excerpted in relevant part (footnotes omitted for brevity), as follows:

48. Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest, the Parties held a series of discussions that culminated in this Settlement. I&E and Columbia [Gas] desire to (1) resolve I&E's informal investigation; and (2) settle this matter completely without litigation. The Parties recognize that given the inherent unpredictability of the outcome of a contested proceeding, there are mutual benefits of amicably resolving the disputed issues. The terms and conditions of the Settlement, for which the Parties seek Commission approval, are set forth below.

49. I&E and Columbia Gas, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement without modification shall create the following rights and obligations:

a. Civil Penalty:

Respondent will pay a civil penalty in the amount of \$990,000.00 pursuant to 66 Pa.C.S. § 3301(c). Said payment shall be made within thirty (30) days of the date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania." Columbia Gas will not seek recovery of any portion of the total civil penalty amount in any future ratemaking proceeding and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

b. Corrective Actions:

Columbia Gas recognizes the seriousness of this matter and will promptly take the following steps to prevent a similar occurrence:

1) Revise its Uprating Procedure Gas Standard [GS 5500.400] to require the inspection of all abutting and adjacent structures to gas main(s) involved in an incremental uprating project before significantly increasing the normal operating pressure of a distribution or transmission pipeline above the previously established MAOP. Significantly shall mean the increase in operating pressure requiring a change in service regulation or an incremental increase in pressure as required by 192.557(c).

2) Develop and implement a program or process which ensures identification of the location, main, and pressure system for each service line tap within Columbia Gas service territory. This program or process must be able to identify properties where the actual tap location differs from the street address.

3) Modify the minimum requirements found in Exhibit A under Gas Standard GS 3020.012 for service line records to include street names and address or

geospatial data. Where the actual tap location differs from the street address, the service line sketch will include street names and address, until such time the service line record is fully contained within the Company's Geographic Information System. Retrain all impacted Columbia Gas employees on all Company standards that outline the minimum requirements for service line records which includes the locations of the tap and the main. Create a QA/QC program to review service line records to ensure they meet the minimum requirements of the Company standards. Create a program to review all existing service line records to ensure that the record meets the minimum requirements. Establish procedures to identify all service lines in and around every project which significantly increases the MAOP of the system or an incremental increase in pressure as required by 192.557(c), including physical inspections and record inspections of all adjacent structures. This shall include marking out the service location or other equivalent confirmation method prior to any 15 uprate. The mark out or other equivalent confirmation method must include verification of service location.

4) Develop a buffer zone with a minimum of a 500-foot radius of the main to be uprated to capture and verify all service locations of all structures. This buffer zone should consider the length of the service lines.

5) Enhance personnel training, including field, management, supervision and engineering. The Company must develop an uprate training module that incorporates the new procedural changes. This training should be provided to all impacted employees, including management and engineering staff on three (3) year intervals. This training module must also address the low pressure conversions, or re-qualifications.

6) Develop a process to ensure pipeline system updates are correctly mapped. When substantive mapping or record errors are encountered, conduct a causal evaluation investigation into why the maps or records are incorrect so that Company can develop best practices and training programs to help ensure the errors are reduced or eliminated.

7) Consider mapping system enhancements that would include the following:

a) Enhance the information retained on the Service Line Records (SLR) designating a new data field or a symbol(s) in an existing data field which gives clear indication that a tap location differs from the actual service address. When the tap itself is not depicted in GIS, this designation should be usable within the GIS database and not solely based in a comment section on a scanned tap card. Conflate the mapping/asset information using high-quality road-edge/centerline information;

b) Capture and store X, Y, and Z coordinates for facility locations (and other asset data) through means which comport with acceptable industry standards;

c) Complete a "Visualization Tool," which will visualize what is connected to mains via service points and will be linked to service record information and drawings; and

d) Capture and store information including but not limited to location of main service taps, curb valves,

and other such appurtenances and pipe anomalies for legacy pipe when mains and services are "out of service" through the use of in-line cameras, geospatial technology and/or other means.

8) Discontinue use of incremental uprates for low pressure to elevated pressure. Utilize requalification (air pressure test) process to convert low pressure to elevated pressure systems.

If the Settlement is approved by the Commission without modification, I&E shall be deemed to have released Columbia Gas from all past claims that were made or could have been made by the Commission for monetary and/or other relief based on allegations that the Company failed to comply with the allegations that are the subject of the instant I&E informal investigation. Petition at 18.

The proposed Settlement is conditioned on the Commission's approval without modification of any of its terms or conditions. If the Commission does not approve the proposed Settlement or makes any change or modification to the proposed Settlement, either Party may elect to withdraw from the Settlement. Petition at 20.

The Parties agree that the underlying allegations were not the subject of any hearing and that there has been no order, findings of fact or conclusions of law rendered in this proceeding. Further, by entering into this Settlement Agreement, Respondent has made no concession or admission of fact or law and may dispute all issues of fact and law for all purposes in any other proceeding. This Settlement may not be used by any other person or entity as a concession or admission of fact or law. The Parties acknowledge that this Settlement Agreement reflects a compromise of competing positions and does not necessarily reflect any party's position with respect to any issues raised in this proceeding. Petition at 20-21.

This Settlement represents a complete settlement of I&E's informal investigation against Columbia Gas' alleged violations of the Code and the Commission's Regulations. The Parties expressly acknowledge that this Settlement Agreement represents a compromise of positions and does not in any way constitute a finding or an admission concerning the alleged violations of the Code and the Commission's Regulations. Petition at 22.

Discussion

Pursuant to our Regulations at 52 Pa. Code § 5.231, it is the Commission's policy to promote settlements. The Commission must, however, review proposed settlements to determine whether the terms are in the public interest. *Pa. PUC v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

In reviewing settlements that resolve informal investigations, the Commission will provide other potentially affected parties with the opportunity to file comments regarding a proposed settlement prior to issuing a decision. The Commission's Regulations at 52 Pa. Code § 3.113(b) provide as follows:

§ 3.113. Resolution of informal investigations.

* * *

(b) Under 65 Pa.C.S. Chapter 7 (relating to Sunshine Act), the Commission's official actions resolving informal investigations will be as follows:

* * *

(3) When the utility, or other person subject to the Commission's jurisdiction, has committed to undertake action to address or remedy a violation or potential violation of the act or to resolve another

perceived deficiency at the utility, in the form of a settlement with the Commission staff or other resolution of the matter, the Commission’s consideration of the settlement or approval of the utility’s action will occur at public meeting. Except for staff reports and other documents covered by a specific legal privilege, documents relied upon by the Commission in reaching its determination shall be made part of the public record. *Before the Commission makes a final decision to adopt the settlement or to approve the utility’s action, the Commission will provide other potentially affected persons with the opportunity to submit exceptions thereon or to take other action provided for under law.*

52 Pa. Code § 3.113(b) (emphasis added). See also *Pa. PUC, Bureau of Investigation and Enforcement v. PPL Electric Utilities Corporation*, Docket No. M-2012-2264635 (Order entered September 13, 2012); *Pa. PUC, Bureau of Investigation and Enforcement v. Liberty Power Holdings, LLC*, Docket No. M-2019-2568471 (Order entered August 8, 2019).

Conclusion

Before issuing a decision on the merits of the proposed Settlement, and consistent with the requirement of 52 Pa. Code § 3.113(b)(3), and for the reason(s) stated above, we believe it is appropriate to provide interested parties an opportunity to file comments on the proposed Settlement. Therefore, we will: (1) publish this Opinion and Order and a copy of the proposed Settlement (including Appendices) and Statements in Support, attached hereto, in the *Pennsylvania Bulletin*; and (2) provide an opportunity for interested parties to file comments regarding the

proposed Settlement within twenty-five days of the date of publication in the *Pennsylvania Bulletin*; Therefore,

It Is Ordered That:

1. The Secretary’s Bureau shall duly certify this Opinion and Order along with the attached Revised Joint Petition for Approval of Settlement (including Appendices) and the Statements in Support thereof, at Docket No. M-2022-3012079, and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

2. Within twenty-five (25) days of the date that this Opinion and Order and the attached Revised Joint Petition for Approval of Settlement (including Appendices) and the Statements in Support thereof are published in the *Pennsylvania Bulletin*, interested parties may file comments concerning the proposed Settlement.

3. A copy of this Opinion and Order, together with the attached Revised Joint Petition for Approval of Settlement (including Appendices) and the Statements in Support thereof, at Docket No. M-2022-3012079, shall be served on the Office of Consumer Advocate and the Office of Small Business Advocate.

4. Subsequent to the Commission’s review of any comments filed in this proceeding, at Docket No. M-2022-3012079, a final Opinion and Order will be issued by the Commission.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: April 20, 2023

ORDER ENTERED: April 20, 2023

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement’s
Investigation of Columbia Gas of
Pennsylvania, Inc.’s July 31, 2019 Uprating
Incident at 100 Park Lane, Washington,
Washington County, Pennsylvania

:
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: Docket No. M-2022-3012079
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REVISED JOINT PETITION FOR APPROVAL OF SETTLEMENT

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.41 and 5.232, the Pennsylvania Public Utility Commission’s (“Commission” or “PUC”) Bureau of Investigation and Enforcement (“I&E”) and Columbia Gas of Pennsylvania, Inc. (“Columbia Gas” or “Company”) hereby submit this Revised Joint Petition for Approval of Settlement (“Settlement” or “Settlement Agreement”) to resolve all issues related to the explosion that occurred on July 31, 2019 at 100 Park Lane in Washington, Washington County, Pennsylvania. The original Joint Petition for Approval of Settlement was filed on March 4, 2022. By Tentative Order entered June 16, 2022, the Commission afforded interested parties an opportunity to file comments on the settlement. Comments were filed by North Franklin Township, Richard Culbertson, Columbia Gas, Office of Consumer Advocate and I&E. This re-filing of the settlement is submitted pursuant to the Commission’s Opinion and Order entered December 27, 2022 (“December 27 Order”). In its December 27 Order, the Commission, upon consideration of the

comments filed, requested additional information regarding 1) whether any remedial measures stemming from the 2018 MA Event were recommended for Columbia Gas and, if so, whether they were effectuated; 2) an estimated timeline for completion of each of the corrective actions proposed in the Settlement; and 3) an accounting of the monetary damage caused by the explosion and if Columbia ratepayers will be responsible for the financial liability associated with the explosion. In response, these matters have each been addressed in Attachments 1 through 3, respectively. With the inclusion herein of the additional information sought by the Commission in its December 27 Order, I&E and Columbia Gas (hereinafter referred to collectively as the “Parties” or “Joint Petitioners”) respectfully request that the Commission approve the Settlement, as revised, without modification for the compelling public interest reasons set forth, *infra*. Also attached are Proposed Ordering Paragraphs (Appendix A) and Statements in Support of the Settlement expressing the individual views of I&E (Appendix B) and Columbia Gas (Appendix C).

I. Introduction

1. The Parties to this Settlement Agreement, as revised, are the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement, by its prosecuting attorneys, 400 North Street, Harrisburg, PA 17120, and Columbia Gas of Pennsylvania, Inc., a natural gas utility with a primary mailing address of 121 Champion Way, Suite 100, Canonsburg, PA 15317.

2. The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within this Commonwealth, as well as other entities subject to its jurisdiction, pursuant to the Public Utility Code ("Code"), 66 Pa.C.S. §§ 101, et seq.

3. I&E is the bureau within the Commission established to prosecute complaints against public utilities. See Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E); See also 66 Pa.C.S. § 308.2(a)(11).

4. Columbia Gas is a "public utility" as that term is defined at 66 Pa.C.S. § 102,² as it is engaged in providing public utility service as a natural gas distribution company ("NGDC") to the public for compensation.

5. Section 501(a) of the Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Code.

6. Section 3301(c) of the Code, 66 Pa.C.S. § 3301(c), authorizes the Commission to impose civil penalties on any person or corporation, defined as a public utility, who violates any provisions of the Code or any regulation or order issued thereunder governing the safety of pipeline or conduit facilities in the transportation of natural gas, flammable gas, or gas which is toxic or corrosive. Section 3301(c) further provides that a civil penalty of up to Two Hundred Thousand Dollars (\$200,000.00) per violation for each day that the violation persists may be imposed, except that for any related series of violations, the maximum civil penalty shall not exceed Two Million Dollars (\$2,000,000.00) or the penalty amount provided under Federal pipeline safety laws, whichever is greater.

7. Civil penalties for violations of Federal pipeline safety laws and regulations are adjusted annually to account for changes in inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub.L. 114-74, § 701, 129 Stat. 599, 28 U.S.C. § 2461 note (Nov. 2, 2015) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990). The most recent adjustment made by the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration ("PHMSA") relevant to this incident occurred on July 31, 2019, and revises the maximum civil penalty to Two Hundred and Eighteen Thousand, Six Hundred and Forty-Seven Dollars (\$218,647.00) for each violation for each day the violation continues, with a maximum penalty not to exceed Two Million, One Hundred Eighty-Six Thousand, Four-Hundred and Sixty-Five Dollars (\$2,186,465.00) for a related series of violations. 84 Fed. Reg. 37071 (July 31, 2019).

8. Pursuant to Section 59.33(b) of the Commission's regulations, 52 Pa. Code § 59.33(b), I&E's Safety Division

has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101—60503 and as implemented at 49 CFR Parts 191—193, 195 and 199, and to apply the federal civil penalty. The federal pipeline safety laws and regulations proscribe the minimum safety standards for all natural gas and hazardous liquid public utilities in the Commonwealth.

9. Columbia Gas, in providing natural gas distribution service to the public for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders, including Federal pipeline safety laws and regulations.

II. Background

10. On July 31, 2019, at approximately 4:00 PM, a natural gas explosion occurred at 100 Park Lane, Washington, PA 15301 ("100 Park Lane"), a residential home in the North Franklin service territory of Columbia Gas. The homeowner, Deborah Braden, and two (2) firefighters were onsite at the time of the explosion. At least four (4) individuals were injured as a result of the explosion. No fatalities occurred.

11. The explosion demolished the entire residential structure at 100 Park Lane and caused severe damage to three (3) vehicles that were located on the property. One other residence was condemned as a result of the explosion, and numerous other homes were reportedly damaged.

12. In addition to local emergency personnel, Pipeline Safety Inspectors from I&E's Safety Division responded to the scene on the day of the explosion and initiated an investigation. The following background consists of a summary of the findings from that investigation.

A. The Distribution System

13. Columbia Gas and NPL Construction Co. ("NPL"), the construction contractor used by Columbia Gas on this project, were working on an incremental mainline uprating project as part of the Company's "Dewey Avenue Replacement Project" at the time of the explosion.

14. The "Dewey Avenue Replacement Project" ("Project") was a two-phase project initiated by Columbia Gas on March 8, 2019 to install new main and uprate existing main from its operating pressure of Low Pressure (LP) ~ 11 inches of water column to a Maximum Allowable Operating Pressure ("MAOP") of 45 pounds per square inch gauge ("psig"). The uprate portion of the Project involved facilities on Nokomis Drive, Mineola Avenue, Iola Avenue and Winona Avenue in Washington, PA. It was expected to impact approximately sixty (60) of the Company's customers.

15. The Columbia Gas distribution system in the uprate portion of the Project area involved a total of approximately 2,780-feet of 2-inch, 3-inch and 4-inch existing plastic main, which was installed in 1995, 1998, 2013, and 2019.

16. Columbia Gas failed to include the residence at 100 Park Lane on the Company's maps for the Project, and, therefore, it was mistakenly omitted from the scope of the Dewey Avenue Replacement Project. While the house did have a different street address from other houses included in the Project, the service line for this residence was nevertheless tapped off the Company's Mineola Avenue facilities—facilities that were within the scope of the Project. As a result of this oversight and other Company missteps described infra, the 100 Park Lane explosion occurred.

² At 66 Pa.C.S. § 102, "Public utility" is defined under that term at subsection (1)(i) as:

(1) Any person or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for:

(i) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, or power to or for the public for compensation.

17. The Columbia Gas distribution system at 100 Park Lane consisted of a plastic main with plastic service lines. The main was located at the dead end of Mineola Ave and was 2-inch Polyethylene plastic pipe. The service line was 1-inch Polyethylene plastic pipe and was 255 feet in length and ran from the end of the main located near Mineola Ave. Columbia Gas renewed the main in 2013 and installed the service line to 100 Park Lane on June 20, 2013.

18. At the time of the explosion, the distribution system was operating at a pressure of forty (40) psig.

19. On August 23, 2019, a joint evaluation was conducted by the State Fire Marshal and I&E Pipeline Safety personnel to determine the cause of the 100 Park Lane explosion. It was determined that the primary cause of the explosion was the over pressurization of the house piping and appliances since the service line to the 100 Park Lane residence was not equipped with a service regulator at the time of the incremental pressure uprating. The source of the gas was surmised to be natural gas leaks occurring around the gas appliances located inside the residence.

B. Chronology of the Events

20. At or about 6:50 AM on July 30, 2019, Columbia Gas and NPL personnel arrived at the site of the Project to begin working on the incremental uprating.

21. At approximately 9:20 AM, Columbia Gas's Gas Measurement & Regulation (GM&R) personnel activated the temporary regulator station located along Nokomis Drive, near State Route 18 ("SR-18").

22. At or around 10:05 AM, the system was raised to one (1) psig. Following the increase, gauges were verified at separation points.

23. At approximately 10:20 AM, the system was raised to two (2) psig, and a leak survey was conducted.

24. At or around 10:55 AM, the system was raised to thirteen (13) psig. Following the increase, another leak survey was completed.

25. At or about 11:30 AM, the incremental uprating was stopped due to reported weather issues.

26. At approximately 7:35 AM on the following day, July 31, 2019, NPL leak surveyors were notified to perform a leak survey on the distribution system. During I&E—Safety Division's subsequent investigation of the incident, it was reported that after receiving this notification, NPL crews surveyed the area by walking over the gas lines with detectors to locate any potential leaks. Additionally, NPL reported that its crews checked each house with a meter set believed to encompass the Project for leaks. According to NPL, no leaks were identified.

27. At or around 8:45 AM, the system pressure was increased from thirteen (13) psig to twenty-four (24) psig. A leak survey was conducted following the pressure increase, and it was reported that no leaks were found.

28. At approximately 9:40 AM, the system pressure was further increased to thirty-five (35) psig. A leak survey was completed following the increase, and it was reported that no leaks were found.

29. At or around 10:30 AM, the system pressure was increased for a final time to forty-five (45) psig. Leak surveyors completed a final leak survey at approximately 11:44 AM, and it was reported that no leaks were found.

30. At or around 11:50 AM, GM&R was given approval by the Columbia Gas supervisor to return the system to the normal operating pressure of 40 psig.

31. At approximately 3:50 PM, homeowner Deborah Braden returned to her residence at 100 Park Lane and smelled a strong odor of gas. Ms. Braden immediately called 911.

32. Two firefighters responded to Ms. Braden's emergency call. It was reported that the firefighters shut off the gas to the residence at the meter once they arrived on scene.

33. Seconds after Ms. Braden and the first responders exited the residence, an explosion occurred. The explosion levelled the 100 Park Lane residence, also resulting in another home being condemned and allegedly causing damage to other residences in the area. Three vehicles located on the property at 100 Park Lane were also severely damaged.

34. The explosion also resulted in alleged bodily injuries to at least four people. The injuries that were allegedly sustained included lacerations, concussions from flying debris, as well as one firefighter being thrown from the site of the explosion.

35. The explosion resulted in the temporary curtailment of natural gas service to approximately sixty (60) Columbia Gas customers.

36. At approximately 3:55 PM, the Company's Uprate Leader was notified of the incident.

37. At or around 4:03 PM, the Columbia Gas Uprate Leader directed the NPL Construction Crew Supervisor to close the outlet valve at the temporary regulator station located along Nokomis Drive, near State Route 18 ("SR-18").

38. At approximately 4:31 PM, I&E's Pipeline Safety regional supervisor notified an I&E Safety Division investigator of the explosion and directed him to proceed to the site of the explosion.

39. The assigned I&E Safety Division investigator arrived at the site of the explosion at approximately 5:30 PM and began coordinating the incident investigation with field personnel. Personnel from the North Franklin Volunteer Fire Department and the State Police Fire Marshals were also on scene. The I&E Safety investigator assessed the area with the Operations Compliance Manager for Columbia Gas and the Vice President and General Manager of Columbia Gas of Maryland and Pennsylvania. At this time, I&E's Safety Division requested that the Company conduct a leak survey of all impacted areas.

40. At or about 5:30 PM, a residence located at 240 Park Avenue, Washington, PA 15301, was toured and inspected by I&E's Safety Division at the request of the homeowner. The home was found to be damaged as a result of the explosion.

41. At the same time, a residence located at 268 Park Avenue, Washington, PA was toured by I&E's Safety Division at the request of the owner and landlord. As a result of the explosion, this residence was condemned because there were structural cracks on the walls and the floor was lifted and displaced.

42. At approximately 6:45 PM, Columbia Gas separated the main from the service line at 100 Park Lane to terminate the flow of natural gas to the residence. The Company conducted a pressure test at or about 6:52 PM, which indicated that the service line was at or about 92 psig for ten (10) minutes. The Company's Standard Operation Procedures require service lines to be tested

with air at least 90-*psig* for five to ten minutes during leak investigations. The pressure test held, and no leak was detected.

C. Columbia Gas Upgrading Procedure Deficiencies

43. It is the position of I&E that this incident was due to the lack of overall Company oversight of critical tasks. The fact that the Company's Project maps were not accurate should have been discovered through an engineering review or by field personnel during the course of the Project. The improvement to the service line at 100 Park Lane was relatively recent (2013) and these records should have made clear that this residence, albeit located on a different street, was nevertheless within the parameters of the Project and should have been identified at the time of the upgrading.

44. It is I&E's position that the Incremental Uprate Plan (0001-19-0238117-00) ("IUP") followed by Columbia Gas personnel on July 31, 2019 was inadequate in that the structure at 100 Park Lane was not included or identified on any of the Company's Project Maps related to the Dewey Avenue Replacement Project.

45. It is I&E's position that the Incremental Uprate Plan (0001-19-0238117-00) followed by Columbia Gas personnel on July 31, 2019 was inadequate in that the Plan's directive that uprate procedures begin only "after it has been confirmed that all of the required customer service lines, associated meter work, and main line replacement, along the involved streets [Nokomis Drive, Mineola Ave, Iola Ave and Winona Ave, North Franklin Township, Washington County, Pennsylvania]. . .has been successfully completed" was incomplete in that it failed to include Park Lane as an involved street in the Dewey Avenue Replacement Project. See, IUP, page 1.

46. It is I&E's position that Columbia Gas Upgrading Procedure Gas Standard [GS 5500.400] was inadequate at the time of the explosion in that it did not require the Company to physically inspect and record the inspection of all adjacent structures within the area of its upgrading project. The Company did not take into consideration the length of service lines in establishing an appropriate buffer zone to identify adjacent structures along the perimeter of the project.

III. Alleged Violations

47. Had this matter been litigated, I&E would have proffered evidence and legal arguments to demonstrate that Columbia Gas committed, *inter alia*, the following violations:

a. Columbia Gas did not exercise reasonable care when it failed to identify all gas and non-gas customers within the scope of its Dewey Avenue Replacement Project. The Company did not use reasonable effort to protect the public from danger in that: 1) the Company's upgrading project plans omitted 100 Park Lane in the design phase of the upgrading project; 2) there was no mark out of the service to 100 Park Lane in the days prior to the explosion; 3) the Company did not discover the omission of the service line to 100 Park Lane during the course of construction; and 4) the Company's Project Maps used in performing the project did not take into consideration the length of service lines in establishing an appropriate buffer zone to identify adjacent structures.

If proven, I&E alleges that such conduct violated 52 Pa. Code § 59.33(a) (requiring public utilities to use reasonable effort to properly warn and protect the public from danger, and to exercise reasonable care to

reduce the hazards to which employees, customers and others may be subjected to by reason of its equipment and facilities).

b. Columbia Gas did not adequately inspect adjacent structures to the gas main(s) involved in the incremental upgrading, in that it failed to identify that the service line at 100 Park Lane would be affected by its Dewey Avenue Replacement Project.

If proven, I&E alleges that such conduct violated 52 Pa. Code § 59.35 (requiring that structures abutting or adjacent to the gas mains shall be inspected to confirm the utility's records as to the presence or absence of a gas service line on each property).

c. Columbia Gas upgrading procedures were inadequate in that the procedures failed to require the inspection of all abutting and adjacent structures to gas main(s) involved in an incremental upgrading project before significantly increasing the normal operating pressure of a distribution or transmission pipeline. The procedures were not sufficiently detailed to allow the identification of all affected structures. Records are kept in a manner that would not have allowed properties with different street addresses to be identified in the scope of uprate projects.

If proven, I&E alleges that such conduct violated 49 CFR § 192.13(c) (requiring that each operator shall maintain, modify as appropriate, and follow the plans, procedures, and programs that it is required to establish under 49 CFR Subpart A).

d. Columbia Gas Incremental Uprate Plan (0001-19-0238117-00) did not identify the adjacent structure of 100 Park Lane as being affected by its Dewey Avenue Replacement Project.

If proven, I&E alleges that such conduct violated 49 CFR § 192.553(c) (requiring that each operator who uprates a segment of pipeline shall establish a written procedure that will ensure that each applicable requirement of 49 CFR Subpart K-Upgrading is complied with).

e. Columbia Gas' design failed to include operating, and maintenance history of the segment of pipeline before increasing the operating pressure above the previously established MAOP in that it did not include the service at 100 Park Lane in its design documents and procedures for the upgrading project.

If proven, I&E alleges that such conduct violated 49 CFR § 192.557(b)(1) and 52 Pa. Code § 59.33(a).

f. Columbia Gas' leak survey before increasing the operating pressure above the previously established MAOP from ~ 11 inches of water column to 45 pounds per square inch gauge ("*psig*") did not include 100 Park Lane.

If proven, I&E alleges that such conduct violated 49 CFR § 192.557(b)(2) and 52 Pa. Code § 59.33(a).

g. Columbia Gas failed to account for the service line at 100 Park Lane and therefore failed to install a service regulator on the service line before the Company increased the operating pressure of the distribution system from ~ 11 inches of water column to 45 pounds per square inch gauge ("*psig*").

If proven, I&E alleges that such conduct violated 49 CFR § 192.557(b)(6) (requirement that before increasing operating pressure above the previously established maximum allowable operating pressure,

the operator shall install a service regulator on each service line and test each regulator to determining that it is functioning if the pressure in mains or service lines, or both, is to be higher than the pressure delivered to the customer.)

h. As set forth in subparagraphs a through g, supra, Columbia Gas failed to furnish and maintain adequate, efficient, safe and reasonable service and facilities and make such repairs, changes, alterations, substitutions, extensions and improvements in or to its service and facilities necessary or proper for the accommodation and safety of its patrons, employees and the public, thereby placing the safety of its customers, employees and the public in danger.

If proven, I&E alleges that such conduct violated 66 Pa.C.S. § 1501.

IV. Terms of Settlement

48. Pursuant to the Commission's policy of encouraging settlements that are reasonable and in the public interest,³ the Parties held a series of discussions that culminated in the original settlement. Subsequent to the entry of the Commission's December 27 Order and referral of this matter back to I&E, the Parties engaged in further discussions in order to gather the additional information sought by the Commission so that the Commission could make an informed determination that the Settlement, as revised, is in fact in the public interest. I&E and Columbia Gas desire to: (i) terminate I&E's informal investigation; and (ii) settle this matter completely without litigation. Columbia Gas fully acknowledges the seriousness of the allegations and recognizes the need to prevent future reoccurrences. Moreover, the Parties recognize that this is a disputed claim, and given the inherent unpredictability of the outcome of a contested proceeding, the Parties further recognize the significant and more immediate benefits of amicably resolving the disputed issues through settlement as opposed to time-consuming and expensive litigation. The terms and conditions of the Settlement, for which the Parties seek Commission approval, are set forth below.

49. I&E and Columbia Gas, intending to be legally bound and for consideration given, desire to fully and finally conclude this investigation and agree that a Commission Order approving the Settlement, as revised, without modification shall create the following rights and obligations:

a. Civil Penalty:

Respondent will pay a civil penalty in the amount of \$990,000.00 pursuant to 66 Pa.C.S. § 3301(c). Said payment shall be made within thirty (30) days of the date of the Commission's Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to the "Commonwealth of Pennsylvania." The docket number of this proceeding shall be indicated with the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

Columbia Gas will not seek recovery of any portion of the total civil penalty amount in any future ratemaking proceeding and agrees that it will not be tax

deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

b. Corrective Actions:

Columbia Gas recognizes the seriousness of this matter and will promptly take the following steps to prevent a similar occurrence:

1) Revise its Uprating Procedure Gas Standard [GS 5500.400] to require the inspection of all abutting and adjacent structures to gas main(s) involved in an incremental uprating project before significantly increasing the normal operating pressure of a distribution or transmission pipeline above the previously established MAOP. Significantly shall mean the increase in operating pressure requiring a change in service regulation or an incremental increase in pressure as required by 192.557(c).

2) Develop and implement a program or process which ensures identification of the location, main, and pressure system for each service line tap within Columbia Gas service territory. This program or process must be able to identify properties where the actual tap location differs from the street address.

3) Modify the minimum requirements found in Exhibit A under Gas Standard GS 3020.012 for service line records to include street names and address or geospatial data. Where the actual tap location differs from the street address, the service line sketch will include street names and address, until such time the service line record is fully contained within the Company's Geographic Information System. Retrain all impacted Columbia Gas employees on all Company standards that outline the minimum requirements for service line records which includes the locations of the tap and the main. Create a QA/QC program to review service line records to ensure they meet the minimum requirements of the Company standards. Create a program to review all existing service line records to ensure that the record meets the minimum requirements. Establish procedures to identify all service lines in and around every project which significantly increases the MAOP of the system or an incremental increase in pressure as required by 192.557(c), including physical inspections and record inspections of all adjacent structures. This shall include marking out the service location or other equivalent confirmation method prior to any uprate. The mark out or other equivalent confirmation method must include verification of service location.

4) Develop a buffer zone with a minimum of a 500-foot radius of the main to be uprated to capture and verify all service locations of all structures. This buffer zone should consider the length of the service lines.

5) Enhance personnel training, including field, management, supervision and engineering. The Company must develop an uprate training module that incorporates the new procedural changes. This training should be provided to all impacted employees, including management and engineering staff on three (3) year intervals. This training module must also address the low pressure conversions, or re-qualifications.

6) Develop a process to ensure pipeline system updates are correctly mapped. When substantive mapping or record errors are encountered, conduct a causal evaluation investigation into why the maps or records are incorrect so that Company can develop

³ See 52 Pa. Code § 5.231(a).

best practices and training programs to help ensure the errors are reduced or eliminated.

7) Consider mapping system enhancements that would include the following:

a) Enhance the information retained on the Service Line Records (SLR) designating a new data field or a symbol(s) in an existing data field which gives clear indication that a tap location differs from the actual service address. When the tap itself is not depicted in GIS, this designation should be usable within the GIS database and not solely based in a comment section on a scanned tap card. Conflate the mapping/asset information using high-quality road-edge/centerline information;

b) Capture and store X, Y, and Z coordinates for facility locations (and other asset data) through means which comport with acceptable industry standards;

c) Complete a "Visualization Tool," which will visualize what is connected to mains via service points and will be linked to service record information and drawings; and

d) Capture and store information including but not limited to location of main service taps, curb valves, and other such appurtenances and pipe anomalies for legacy pipe when mains and services are "out of service" through the use of in-line cameras, geo-spatial technology and/or other means.

8) Discontinue use of incremental uprates for low pressure to elevated pressure. Utilize requalification (air pressure test) process to convert low pressure to elevated pressure systems.

50. Upon Commission approval of the Settlement, as revised, in its entirety without modification, I&E shall be deemed to have released Columbia Gas from all past claims that were made or could have been made by the Commission for monetary and/or other relief based on allegations that the Company failed to comply with the allegations that are the subject of the instant I&E informal investigation.

51. I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement, with the addition of further information sought by the Commission, is in the public interest and fully consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E's allegations that are the subject of the I&E informal investigation, addresses the concerns set forth in comments to the originally submitted settlement, as memorialized in the December 27 Order, promotes public and facility safety, and avoids the time and expense of litigation, which entails hearings, travel for Respondent's witnesses, and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals. Attached as Appendix B and Appendix C are Statements in Support submitted by I&E and Columbia Gas, respectively, setting forth the bases upon which they believe the Settlement Agreement, as revised, is in the public interest.

V. Conditions of Settlement

52. This document represents the Settlement Agreement in its entirety. No changes to obligations set forth herein may be made unless they are in writing and are

expressly accepted by the Parties. This Settlement Agreement shall be construed and interpreted under Pennsylvania law.

53. The benefits and obligations of this Revised Joint Petition for Approval of Settlement shall be binding upon the successors and assigns of the parties to the Settlement.

54. This Revised Joint Petition may be signed in counterparts and all signatures attached hereto will be considered as originals.

55. In order to effectuate this Revised Joint Petition for Approval of Settlement, the undersigned parties request that the Commission issue a Final Order approving the Petition without modification.

56. The Settlement is conditioned upon the Commission's approval of the terms and conditions contained in this Revised Joint Petition for Approval of Settlement without modification. If the Commission modifies this Settlement Agreement, any party may elect to withdraw from the Settlement and may proceed with litigation and, in such event, this Settlement Agreement shall be void and of no effect. Such election to withdraw must be made in writing, filed with the Secretary of the Commission and served upon the other party within twenty (20) days after entry of an Order modifying the Settlement.

The consequence of any party withdrawing from this Revised Joint Petition for Approval of Settlement as set forth above is that all issues associated with the requested relief presented in the proceeding will be fully litigated by the filing of a Formal Complaint unless otherwise stipulated between the parties and all obligations of the parties to each other set forth herein are terminated and of no force and effect.

57. The Parties agree that the underlying allegations were not the subject of any hearing and that there has been no order, findings of fact or conclusions of law rendered in this proceeding. It is further understood that, by entering into this Settlement Agreement, Respondent has made no concession or admission of fact or law and may dispute all issues of fact and law for all purposes in any other proceeding. Nor may this settlement be used by any other person or entity as a concession or admission of fact or law.

58. The Parties acknowledge that this Settlement Agreement, as revised, reflects a compromise of competing positions and does not necessarily reflect any party's position with respect to any issues raised in this proceeding.

59. This Settlement Agreement, as revised, is being presented only in the context of this proceeding in an effort to resolve the proceeding in a manner that is fair and reasonable. This Settlement is presented without prejudice to any position that any of the Parties may have advanced and without prejudice to the position any of the Parties may advance in the future on the merits of the issues in any other proceedings, except to the extent necessary to effectuate or enforce the terms and conditions of this Settlement Agreement. This Settlement does not preclude the parties from taking other positions in any other proceeding but is conclusive in this proceeding and may not be reasserted in any other proceeding or forum except for the limited purpose of enforcing the Settlement by a Party.

60. I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement as revised per the December 27 Order is in the public interest and is fully

consistent with the Commission’s Policy Statement for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations, 52 Pa. Code § 69.1201. The Commission will serve the public interest by adopting this Revised Joint Petition for Approval of Settlement.

61. The Revised Joint Petition for Approval of Settlement avoids the time and expense of litigation in this matter before the Commission, which likely would entail the filing of a Formal Complaint, the preparation for and attendance at hearings, and the preparation and filing of testimony, briefs, reply briefs, exceptions, and reply exceptions. The Parties further recognize that their positions and claims are disputed and, given the inherent unpredictability of the outcome of a contested proceeding, the Parties recognize the benefits of amicably resolving the disputed issues through settlement.

62. Since the Parties agree to the terms of the Revised Joint Petition for Approval of Settlement, adopting it will eliminate the possibility of any appeal from the Commission Secretarial Letter or Order, thus avoiding the additional time and expense that they might incur in such an appeal.

63. This Settlement consists of the entire agreement between I&E and Columbia Gas regarding the matters addressed herein. Moreover, this Settlement represents a complete settlement of I&E’s informal investigation against Columbia Gas’ alleged violations of the Public Utility Code and the Commission’s regulations as discussed in more detail in Section III. The Parties expressly acknowledge that this Settlement Agreement represents a compromise of positions and does not in any way constitute a finding or an admission concerning the alleged violations of the Public Utility Code and the Commission’s

regulations. This Settlement shall be construed and interpreted under Pennsylvania Law.

64. The terms and conditions of this Settlement Agreement constitute a carefully crafted package representing reasonably negotiated compromises on the issues addressed herein. Thus, the Settlement Agreement is consistent with the Commission’s rules and practices encouraging negotiated settlements set forth in 52 Pa. Code §§ 5.231 and 69.1201.

Wherefore, the Pennsylvania Public Utility Commission’s Bureau of Investigation and Enforcement and Columbia Gas of Pennsylvania, Inc. respectfully request that the Commission approve the terms of the Revised Joint Petition for Approval of Settlement without modification and in their entirety as being in the public interest.

Respectfully submitted and filed by:
 Date: 2/27/2023
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 Pennsylvania Public Utility
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<i>Remedial Measures Stemming from the 2018 MA Event Recommended for Columbia Gas of Pennsylvania</i>	<i>Status and Description</i>
Revise the engineering plan and constructability review process across all of your subsidiaries to ensure that all applicable departments review construction documents for accuracy, completeness, and correctness, and that the documents or plans be sealed by a professional engineer prior to commencing work. (NTSB Recommendation P-18-006)	Status: Effectuated Description: CPA revised its Constructability Review process to ensure a thorough review and engagement from all appropriate departments based on project characteristics. CPA also implemented requirements for Professional Engineer oversight and sealing of projects. Both of these stakeholder review expectations are codified in CPA’s gas standard GS 2810.050. These actions also address the NTSB’s recommendations to states to engage Professional Engineers in natural gas project designs, issued in September 2019 (NTSB Recommendation P-19-17).
Review and ensure that all records and documentation of your natural gas systems are traceable, reliable, and complete. (NTSB Recommendation P-18-007)	Status: Effectuated Description: CPA completed isometric improvements for all low-pressure stations, and published Operational Notice 19-02, which added layers of protection for activities at/near low-pressure stations. Above and beyond the recommendation, CPA has improved its isometric drawings for all pressure stations and formalized the expectations for ongoing isometric updates and maintenance in GS 1750.820.

<i>Remedial Measures Stemming from the 2018 MA Event Recommended for Columbia Gas of Pennsylvania</i>	<i>Status and Description</i>
Apply management of change process to all changes to adequately identify system threats that could result in a common mode failure. (NTSB Recommendation P-18-008)	Status: Effectuated Description: NiSource/CPA developed an asset class risk/threat matrices and created an asset Risk Register for each asset class. Also completed a Probabilistic Risk Assessment model for each applicable asset class. NiSource performs annual updates and review of its Asset Management Plan & Risk Register, which support CPA risk analysis and decision making.
Develop and implement control procedures during modifications to gas mains to mitigate the risks identified during management of change operations. Gas main pressures should be continually monitored during these modifications and assets should be placed at critical locations to immediately shut down the system if abnormal operations are detected. (NTSB Recommendation P-18-009)	Status: Effectuated Description: Developed and implemented new Gas Standard 1680.010—Tie-ins and Tapping Pressurized Pipelines, as well as enhanced the written Tie-in procedure to incorporate updated rigor in process safety. Per the new Gas Standard, advanced and execution briefings are required for all Tie-in plans. Additionally, CPA completed a program to add extra overpressure protection to all of its low pressure operating systems. This effort addresses the NTSB’s recommendation to PHMSA regarding low pressure system safety, issued in September 2019. (NTSB Recommendation P-19-15)
Review your protocols and training for responding to large-scale emergency events, including providing timely information to emergency responders, appropriately assigning NiSource emergency response duties, performing multi-jurisdictional training exercises, and participating cooperatively with municipal emergency management agencies. (NTSB Recommendation P-19-018)	Status: Effectuated Description: NiSource created a full-time, cross-functional EP&R team to integrate improved preparedness plans and exercises covering a broad range of potential scenarios and levels of emergency. Through ongoing training that includes regular exercises, the EP&R team provides awareness and understanding of all roles during an emergency to appropriate employees across the NiSource gas segment, including CPA, and corporate support teams. Additionally, NiSource created a single EP&R Plan that was implemented across the NiSource gas segment beginning on September 1, 2019. In June 2020, tabletop exercises were conducted for CPA (virtually, via WebEx, due to COVID-19). The exercises were designed to assess performance when responding to Level 3 to 5 incidents and highlighted the increased capabilities of the organization.

	<i>Corrective Actions</i>	<i>Status</i>	<i>Estimated Completion Date</i>	<i>Notes</i>
1	Revise its Uprating Procedure Gas Standard [GS 5500.400] to require the inspection of all abutting and adjacent structures to gas main(s) involved in an incremental uprating project before significantly increasing the normal operating pressure of a distribution or transmission pipeline above the previously established MAOP. Significantly shall mean the increase in operating pressure requiring a change in service regulation or an incremental increase in pressure as required by 192.557(c).	Updated Gas Standards (5500.020, 5500.030, 5500.040) published Jan 1, 2023 requiring inspection of all abutting and adjacent structures for uprates incorporating significant increase in operating pressure. Additional updates to standards under SME review with target publication date of July 1, 2023.	Published in September—effective Jan 1, 2023 GS 5500.020, GS 5500.030, GS5500.040, Additional updates under review.	Additional updates to define significant under SME review. Scheduled to be effective July 1, 2023 with 90 day implementation period. Uprates designed after implementation period will be required to follow new standard.

NOTICES

	<i>Corrective Actions</i>	<i>Status</i>	<i>Estimated Completion Date</i>	<i>Notes</i>
2	Develop and implement a program or process which ensures identification of the location, main, and pressure system for each service line tap within Columbia Gas service territory. This program or process must be able to identify properties where the actual tap location differs from the street address.	Completed process to map service lines in Columbia's GIS system. All new service lines are being mapped. Legacy service line mapping started in early 2020 and Columbia has completed the mapping of 94.4% of all legacy services as of 12-19-2022.	Complete	Completed S/L mapping—which identifies location. 94.4% mapped in GIS as of 12-19-2022. Continue working down remaining. Remaining services being prioritized based on risk (ex. LP and Farm taps).
3	Modify the minimum requirements found in Exhibit A under Gas Standard GS 3020.012 for service line records to include street names and address or geospatial data. Where the actual tap location differs from the street address, the service line sketch will include street names and address, until such time the service line record is fully contained within the Company's Geographic Information System. Retrain all impacted Columbia Gas employees on all Company standards that outline the minimum requirements for service line records which includes the locations of the tap and the main.	This requirement has been communicated and has been built into Columbia's current quality assurance checks and verified on all newly completed service line records as well as during our legacy service line records reviews. This expectation is to be memorialized within GS 3020.012, which is currently under SMR review for additional changes. The target publication date for the updated GS 3020.012 is July 1, 2023.	Completed, to be memorialized in the standard by July 1, 2023.	This has been verbally communicated and CPA is checking all tap cards to ensure information is included. Timing allows to vet through SMR process and incorporate into GS. Also several standard revision requests for GS 3030.012 that need to be reviewed and potentially incorporated into standard.
	Create a QA/QC program to review service line records to ensure they meet the minimum requirements of the Company standards. Create a program to review all existing service line records to ensure that the record meets the minimum requirements.	Columbia implemented a QA/QC process for service line records in early 2021. The process incorporates all newly completed SLRs and a QA/QC team to review legacy SLRs. Any SLR requirement changes are incorporated into the review process at the time of the change.	Complete	Incorporated into our current quality assurance process. Both new and legacy service line records being reviewed to ensure compliance.

	<i>Corrective Actions</i>	<i>Status</i>	<i>Estimated Completion Date</i>	<i>Notes</i>
	Establish procedures to identify all service lines in and around every project which significantly increases the MAOP of the system or an incremental increase in pressure as required by 192.557(c), including physical inspections and record inspections of all adjacent structures. This shall include marking out the service location or other equivalent confirmation method prior to any uprate. The mark out or other equivalent confirmation method must include verification of service location.	Updated Gas Standards (5500.020, 5500.030, 5500.040) published Jan 1, 2023 requiring inspection of all abutting and adjacent structures for uprates incorporating significant increase in operating pressure. Additional updates to standards under SME review with target publication date of July 1, 2023	Published in September—effective Jan 1, 2023 GS 5500.020, GS 5500.030, GS5500.040, Additional updates under review.	GS updates completed for significant pressure uprates.
4	Develop a buffer zone with a minimum of a 500-foot radius of the main to be uprated to capture and verify all service locations of all structures. This buffer zone should consider the length of the service lines.	New Gas Standard requiring minimum 500' buffer zone was updated and effective Jan 1, 2023.	Complete	Publish September effective Jan. 1, 2023.
5	Enhance personnel training, including field, management, supervision and engineering. The Company must develop an uprate training module that incorporates the new procedural changes. This training should be provided to all impacted employees, including management and engineering staff on three (3) year intervals. This training module must also address the low pressure conversions, or re-qualifications.	Uprating computer based training (CBT) was created and assigned to all Engineers Oct. 1st, 2022. Additional training currently under development for additional impacted employees. The additional training is scheduled to be completed and rolled out by September 1, 2023.	Engineering—Complete, Other impacted party's IP (September 1, 2023).	
6	Develop a process to ensure pipeline system updates are correctly mapped. When substantive mapping or record errors are encountered, conduct a causal evaluation investigation into why the maps or records are incorrect so that Company can develop best practices and training programs to help ensure the errors are reduced or eliminated.	Columbia has an established map revision process that allows all employees to submit map revision requests. Substantive mapping errors are investigated to identify continuous improvement opportunities.	Complete	
7	Consider mapping system enhancements that would include the following:			
7a	Enhance the information retained on the Service Line Records (SLR) designating a new data field or a symbol(s) in an existing data field which gives clear indication that a tap location differs from the actual service address. When the tap itself is not depicted in GIS, this designation should be usable within the GIS database and not solely based in a comment section on a scanned tap card. Conflate the mapping/asset information using high-quality road-edge/centerline information;	Process to map service lines has been completed. Service line records have been hyperlinked to Columbia's GIS system. Conflation of Columbia's mapping information was completed October of 2021.	Complete	Have S/L records hyperlinked in GIS. Conflation has been completed. Additional information available on SMS SharePoint.

	<i>Corrective Actions</i>	<i>Status</i>	<i>Estimated Completion Date</i>	<i>Notes</i>
7b	Capture and store X, Y, and Z coordinates for facility locations (and other asset data) through means which comport with acceptable industry standards;	In 2019 Columbia increased its current GPS program to incorporate capturing GPS coordinates after any newly installed mainline or service line facilities. In 2022, Columbia again updated its process to capture X, Y and Z locations during construction on all capital contract work along with outfitting its internal crews with GPS equipment to capture X, Y and Z coordinates on work performed internally.	Complete	2022 started capturing Coordinates on Construction projects. Ops, currently on most new installs. Not quite at 100% during construction but currently pulling reports and capturing GPS coordinates on all newly installed facilities. Currently meeting/exceeding industry standards.
7c	Complete a "Visualization Tool," which will visualize what is connected to mains via service points and will be linked to service record information and drawings; and	Process to map service lines within Columbia's GIS system has been completed. Service line records have been hyperlinked to Columbia's GIS system.	Complete	Have S/L records hyperlinked in GIS. Conflation has been completed.
7d	Capture and store information including but not limited to location of main service taps, curb valves, and other such appurtenances and pipe anomalies for legacy pipe when mains and services are "out of service" through the use of in-line cameras, geo-spatial technology and/or other means.	This is being presented to Columbia's associated SMR team for consideration. SMR review and any proposed recommendations scheduled to be completed by July 1, 2023.	July 1, 2023.	
8	Discontinue use of incremental uprates for low pressure to elevated pressure. Utilize requalification (air pressure test) process to convert low pressure to elevated pressure systems.	Incremental uprates on LP systems were immediately stopped after the incident. Operational Notice 19-10 was released requiring LP uprates to be completed by the requalification method only. This requirement was incorporated into the 5500 series gas standards.	Complete	ON 19-10, resumed LP uprates by requalification method only, incorporated into new 5500 series updates.

Monetary Damages Resulting from North Franklin Event

<i>Type of Damage</i>	<i>Amount</i>
Property (Real & Personal) ⁴	\$1,975,425.25
Alternate Cost of Living Expense (“ALE”) ⁵	\$112,785.58
Personal Injury & Emotional Distress	\$1,004,500.00
Total	\$3,092,710.83

* All claims for monetary damages were paid through insurance and therefore ratepayers were not responsible for the financial liability associated with the explosion.

**Appendix A
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :
 Bureau of Investigation and Enforcement’s :
 Investigation of Columbia Gas of : Docket No. M-2022-3012079
 Pennsylvania, Inc.’s July 31, 2019 Uprating :
 Incident at 100 Park Lane, Washington, :
 Washington County, Pennsylvania :

PROPOSED ORDERING PARAGRAPHS

1. That the Revised Joint Settlement Petition filed on February 27, 2023 between the Commission’s Bureau of Investigation and Enforcement and Columbia Gas of Pennsylvania, Inc. is approved in its entirety without modification.

2. That, in accordance with Section 3301(c) of the Public Utility Code, 66 Pa.C.S. § 3301(c), within thirty (30) days of the date this Order becomes final, Columbia Gas of Pennsylvania, Inc. shall pay a civil penalty of Nine Hundred Ninety Thousand Dollars (\$990,000.00). Said payment shall be made by certified check or money order payable to “Commonwealth of Pennsylvania” and shall be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

3. Columbia Gas of Pennsylvania, Inc. also agrees to promptly take the numerous corrective actions as expressly set forth in the Settlement Agreement that have yet to be implemented, if any.

4. A copy of this Opinion and Order shall be served upon the Financial and Assessment Chief, Bureau of Administration.

5. That the above-captioned matter shall be marked closed upon receipt of the civil penalty.

Appendix B

Pennsylvania Public Utility Commission, :
 Bureau of Investigation and Enforcement’s :
 Investigation of Columbia Gas of : Docket No. M-2022-3012079
 Pennsylvania, Inc.’s July 31, 2019 Uprating :
 Incident at 100 Park Lane, Washington, :
 Washington County, Pennsylvania :

**THE BUREAU OF INVESTIGATION AND ENFORCEMENT’S
 STATEMENT IN SUPPORT OF THE
 REVISED JOINT PETITION FOR APPROVAL OF SETTLEMENT**

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code §§ 5.231, 5.232 and 69.1201, the Pennsylvania Public Utility Commission’s (“Commission” or “PUC”) Bureau of Investigation and Enforcement

(“I&E”), a signatory party to the Revised Joint Petition for Approval of Settlement (“Settlement” or “Settlement Agreement”) filed in the matter docketed above, submits this Statement in Support of the Settlement Agreement between I&E and Columbia Gas of Pennsylvania, Inc. (“Columbia Gas” or “Company”) (hereinafter referred to collectively as the “Parties” or “Joint Petitioners”). I&E avers that the terms and conditions of the Settlement, as revised, are just and reasonable and in the public interest for the reasons set forth herein.

⁴ Columbia submits that this amount provides a fair representation of the total value of property damage claims made by third-parties, made directly by individuals or by their insurers.
⁵ Living expenses paid to individuals whose homes were uninhabitable for a period of time.

I. Background

On July 31, 2019, at approximately 4:00 PM, a natural gas explosion occurred at 100 Park Lane, Washington, PA 15301 (“100 Park Lane”), a residential home in the North Franklin service territory of Columbia Gas. The homeowner and two (2) firefighters were onsite at the time of the explosion. At least four individuals were injured as a result of the explosion but there were no fatalities. The explosion demolished the entire residential structure at 100 Park Lane and caused severe damage to three vehicles (3) that were located on the property. One other residence was condemned as a result of the explosion, and numerous other homes were reportedly damaged. In addition to local emergency personnel, Pipeline Safety Inspectors from I&E’s Safety Division responded to the scene on the day of the explosion and initiated an investigation.

At the time of the explosion, Columbia Gas and NPL Construction Co. (“NPL”), the construction contractor used by Columbia Gas on this project, were working on an incremental mainline uprating project as part of the Company’s “Dewey Avenue Replacement Project.” The “Dewey Avenue Replacement Project” (“Project”) was initiated by Columbia Gas on March 8, 2019 to install new main and to increase or update the pressure on the existing main. The uprate portion of the Project involved facilities on Nokomis Drive, Mineola Avenue, Iola Avenue and Winona Avenue in Washington, PA and was expected to impact approximately sixty (60) of the Company’s customers. However, Columbia Gas failed to include the residence at 100 Park Lane on the Company’s maps for the Project, and, therefore, it was mistakenly omitted from the scope of the Dewey Avenue Replacement Project. While the house did have a different street address from other houses included in the Project, the service line for this residence was nevertheless tapped off the Company’s Mineola Avenue facilities—facilities that were within the scope of the Project. As a result of this oversight, the 100 Park Lane explosion occurred.

On August 23, 2019, a joint evaluation was conducted by the State Fire Marshal and I&E Pipeline Safety personnel to determine the cause of the 100 Park Lane explosion. It was determined that the primary cause of the explosion was the over pressurization of the house piping and appliances since the service line to the 100 Park Lane residence was not equipped with a service regulator at the time of the incremental pressure uprating. The source of the gas was surmised to be natural gas leaks occurring around the gas appliances located inside the residence.

I&E and Columbia Gas subsequently engaged in extensive negotiations regarding the resolution of I&E’s investigation. On March 4, 2022, the Parties filed a Joint Petition for Approval of Settlement resolving all issues between I&E and Columbia Gas in the instant matter. By Tentative Order entered June 16, 2022, the Commission afforded interested parties an opportunity to file comments on the settlement. Comments were filed by North Franklin Township, Richard Culbertson, Columbia Gas, Office of Consumer Advocate and I&E. By Order entered December 27, 2022 (“December 27 Order”), upon consideration of the comments filed, the Commission requested additional information regarding 1) whether any remedial measures stemming from the 2018 MA Event were recommended for Columbia Gas and, if so, whether they were effectuated; 2) an estimated timeline for completion of each of the corrective actions proposed in the Settlement; and 3) an accounting of the monetary damage caused by

the explosion and if Columbia ratepayers will be responsible for the financial liability associated with the explosion. The December 27 Order referred the matter back to I&E and directed that any re-filing of the Settlement be accomplished within sixty (60) days of the entry of the December 27 Order. In response, the Parties have filed a Revised Joint Petition for Approval of Settlement wherein the additional information sought by the Commission has been addressed in Attachments 1 through 3, respectively. With the inclusion herein of the additional information sought by the Commission in its December 27 Order, I&E respectfully requests that the Commission approve the Settlement, as revised. This Statement in Support is submitted in conjunction with the Settlement Agreement.

II. The Public Interest

Pursuant to the Commission’s policy of encouraging settlements that are reasonable and in the public interest, the Parties held a series of settlement discussions. Subsequent to the entry of the Commission’s December 27 Order and referral of this matter back to I&E, the Parties engaged in further discussions in order to gather the additional information sought by the Commission so that the Commission could make an informed determination that the Settlement, as revised, is in fact in the public interest. These discussions culminated in this Settlement Agreement, as revised, which, once approved, will resolve all issues related to the instant I&E Investigation. Columbia Gas has been cooperative and proactive with I&E related to identifying policies and procedures, facilities and training that can be further improved to assist the Company in enhancing the safety and reliability of service and to satisfy the commitments that I&E has required in the settlement process.

The Settlement, if approved, will provide substantial public benefits including numerous improvements to the Company’s operations and procedures related to, inter alia, revisions to uprating procedures, modifications to service line records, enhancements to personnel training and refinements to the Company’s mapping system, not to mention the payment of a substantial civil penalty.

Although I&E and Columbia Gas may disagree with respect to I&E’s factual allegations, the Company recognizes the need to prevent a similar incident from reoccurring. Further, I&E recognizes that, given the inherent unpredictability of the outcome of a contested proceeding, the benefits of amicably resolving the disputed issues through settlement outweigh the risks and expenditures of litigation. I&E submits that the Settlement, as revised, constitutes a reasonable compromise of the issues involved and is in the public interest as it provides for a number of relevant corrective measures as well as a civil penalty. As such, I&E respectfully requests that the Commission approve the Settlement without modification so that these important public benefits may be realized expeditiously.

III. Terms of Settlement

Under the terms of the Settlement, I&E and Columbia Gas have agreed as follows:

a. Civil Penalty:

Respondent will pay a civil penalty in the amount of \$990,000.00 pursuant to 66 Pa.C.S. § 3301(c). Said payment shall be made within thirty (30) days of the date of the Commission’s Final Order approving the Settlement Agreement and shall be made by certified check or money order payable to the “Commonwealth of Pennsylvania.” The docket number of this proceeding shall be indicated with the certified check or money order and the payment shall be sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

Columbia Gas will not seek recovery of any portion of the total civil penalty amount in any future ratemaking proceeding and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

b. *Corrective Actions:*

Columbia Gas recognizes the seriousness of this matter and will promptly take the following steps to prevent a similar occurrence:

1) Revise its Upgrading Procedure Gas Standard [GS 5500.400] to require the inspection of all abutting and adjacent structures to gas main(s) involved in an incremental upgrading project before significantly increasing the normal operating pressure of a distribution or transmission pipeline above the previously established MAOP. Significantly shall mean the increase in operating pressure requiring a change in service regulation or an incremental increase in pressure as required by 192.557(c).

2) Develop and implement a program or process which ensures identification of the location, main, and pressure system for each service line tap within Columbia Gas service territory. This program or process must be able to identify properties where the actual tap location differs from the street address.

3) Modify the minimum requirements found in Exhibit A under Gas Standard GS 3020.012 for service line records to include street names and address or geospatial data. Where the actual tap location differs from the street address, the service line sketch will include street names and address, until such time the service line record is fully contained within the Company's Geographic Information System. Retrain all impacted Columbia Gas employees on all Company standards that outline the minimum requirements for service line records which includes the locations of the tap and the main. Create a QA/QC program to review service line records to ensure they meet the minimum requirements of the Company standards. Create a program to review all existing service line records to ensure that the record meets the minimum requirements. Establish procedures to identify all service lines in and around every project which significantly increases the MAOP of the system or an incremental increase in pressure as required by 192.557(c), including physical inspections and record inspections of all adjacent structures. This shall include marking out the service location or other equivalent confirmation method prior to any uprate. The mark out or other equivalent confirmation method must include verification of service location.

4) Develop a buffer zone with a minimum of a 500-foot radius of the main to be upgraded to capture and verify all service locations of all structures. This buffer zone should consider the length of the service lines.

5) Enhance personnel training, including field, management, supervision and engineering. The Company must develop an uprate training module that incorporates the new procedural changes. This training should be provided to all impacted employees, including management and engineering staff on three (3) year inter-

vals. This training module must also address the low pressure conversions, or re-qualifications.

6) Develop a process to ensure pipeline system updates are correctly mapped. When substantive mapping or record errors are encountered, conduct a causal evaluation investigation into why the maps or records are incorrect so that Company can develop best practices and training programs to help ensure the errors are reduced or eliminated.

7) Consider mapping system enhancements that would include the following:

a) Enhance the information retained on the Service Line Records (SLR) designating a new data field or a symbol(s) in an existing data field which gives clear indication that a tap location differs from the actual service address. When the tap itself is not depicted in GIS, this designation should be usable within the GIS database and not solely based in a comment section on a scanned tap card.

Conflate the mapping/asset information using high-quality road-edge/centerline information;

b) Capture and store X, Y, and Z coordinates for facility locations (and other asset data) through means which comport with acceptable industry standards.

c) Complete a "Visualization Tool," which will visualize what is connected to mains via service points and will be linked to service record information and drawings; and

d) Capture and store information including but not limited to location of main service taps, curb valves, and other such appurtenances and pipe anomalies for legacy pipe when mains and services are "out of service" through the use of in-line cameras, geospatial technology and/or other means.

8) Discontinue use of incremental uprates for low pressure to elevated pressure. Utilize requalification (air pressure test) process to convert low pressure to elevated pressure systems.

Upon Commission approval of the Settlement in its entirety without modification, I&E shall be deemed to have released Columbia Gas from all past claims that were made or could have been made by the Commission for monetary and/or other relief based on allegations that the Company failed to comply with the allegations that are the subject of the instant I&E informal investigation.

I&E and Columbia Gas jointly acknowledge that approval of this Settlement Agreement, as revised consistent with the December 27 Order, is in the public interest and fully consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings, 52 Pa. Code § 69.1201. The Parties submit that the Settlement Agreement, as revised, is in the public interest because it effectively addresses I&E's allegations that are the subject of the I&E informal investigation, responds to the concerns set forth in comments to the original settlement and memorialized in the December 27 Order, promotes public and facility safety, and avoids the time and expense of litigation, which entails hearings, travel for Respondent's witnesses, and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals.

Moreover, the additional information provided by Columbia in Attachments 1 through 3 to this Revised Joint Petition expressly and specifically address the concerns raised in the December 27 Order. Attachment 1 sets forth remedial measures recommended for Columbia Gas stemming from the 2018 Massachusetts overpressure event, the source of each recommendation and the status and a description of the implementation of each recommendation. Attachment 2 responds to the request for a timeline for completion of each of the corrective actions set forth in the Settlement by listing and describing each corrective action in detail, providing the current, updated status of each, providing the estimated completion date of the corrective action, and including notes adding specificity of the Company's actions regarding each corrective action. Attachment 3 responds to the request for an accounting of the monetary damage cause by the explosion, categorizing the damages by type, noting the amounts of each as well as the cumulative total of monetary damages. Attachment 3 further notes that all monetary damages were paid through insurance.

The Commission has in the past approved numerous settlements without chaining the utility to specific, set time frames to implement each and every remedial measure as such a burden could jeopardize the benefits amicably negotiated and gained by the settlement. Nevertheless, the Company has provided good faith estimates for completion of those corrective measures, while also noting those corrective actions that have already been completed.

It is I&E's position that a quantification of the amount of money needed to resolve all damage and injury claims is not imperative for the Commission to reach a conclusion that a settlement is in the public interest. Personal property damage claims and personal injury claims are themselves outside the scope of the Commission's jurisdiction. Nevertheless, in order to comply with the December 27 Order, the Company has provided detail of the monetary damages associated with this event.

As to whether ratepayers would be responsible for the financial liability associated with the explosion, I&E avers that this is best suited to be raised in a Columbia base rate proceeding, and not in this Settlement. No utility, including Columbia in this instance, is precluded from potentially seeking cost recovery of costs incurred or to justify a proposed rate increase. It is during a rate proceeding that parties such as statutory advocates, often challenge such evidence, and demand such accountings from the filing utility. Consequently, whether Columbia will or will not seek or has or has not sought recovery of costs is not a necessary component of this Settlement that amicably resolves safety concerns and implements remedial measures that are clearly in the public interest.

IV. *Legal Standard for Settlement Agreements*

Commission policy promotes settlements. See 52 Pa. Code § 5.231. Settlements lessen the time and expense that the parties must expend litigating a case and, at the same time, conserve precious administrative resources. Settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. "The focus of inquiry for determining whether a proposed settlement should be recommended for approval is not a 'burden of proof' standard, as is utilized for contested matters." *Pa. Pub. Util. Comm'n, et al. v. City of Lancaster—Bureau of Water*, Docket Nos. R-2010-2179103, et al. (Order entered

July 14, 2011) at p. 11. Instead, the benchmark for determining the acceptability of a settlement is whether the proposed terms and conditions are in the public interest. *Pa. Pub. Util. Comm'n v. Philadelphia Gas Works*, Docket No. M-00031768 (Order entered January 7, 2004).

I&E submits that approval of the Settlement Agreement in the above-captioned matter, as revised consistent with the December 27 Order, is consistent with the Commission's Policy Statement regarding Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations ("Policy Statement"), 52 Pa. Code § 69.1201; See also *Joseph A. Rosi v. Bell-Atlantic-Pennsylvania, Inc.*, Docket No. C-00992409 (Order entered March 16, 2000). The Commission's Policy Statement sets forth ten factors that the Commission may consider in evaluating whether a civil penalty for violating a Commission order, regulation, or statute is appropriate, as well as whether a proposed settlement for a violation is reasonable and in the public interest. 52 Pa. Code § 69.1201.

The Commission will not apply the factors as strictly in settled cases as in litigated cases. 52 Pa. Code § 69.1201(b) (emphasis added). While many of the same factors may still be considered, in settled cases, the parties "will be afforded flexibility in reaching amicable resolutions to complaints and other matters as long as the settlement is in the public interest." *Id.*

The first factor considers whether the conduct at issue was of a serious nature, such as willful fraud or misrepresentation, or if the conduct was less egregious, such as an administrative or technical error. Conduct of a more serious nature may warrant a higher penalty. 52 Pa. Code § 69.1201(c)(1). I&E alleges that the Company's procedures that were in place at the time of the incident were deficient in their failure to identify all gas and non-gas customers within the scope of its Dewey Avenue Replacement Project resulting in disastrous consequences. I&E submits that the alleged violations alleged as a result of I&E's Investigation are of a serious nature and were considered in arriving at the civil penalty and remedial relief set forth in the terms of the Settlement.

The second factor considered is whether the resulting consequences of the Company's alleged conduct were of a serious nature. When consequences of a serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty. 52 Pa. Code § 69.1201(c)(2). In this case, the natural gas explosion resulted in injuries to at least four individuals, though none were fatal. The explosion destroyed the residential structure at 100 Park Lane and significantly damaged surrounding residences.

The terms and conditions of the Settlement acknowledge that serious consequences occurred and are designed to further enhance the safety of Columbia Gas's service and facilities.

The third factor to be considered under the Policy Statement is whether the alleged conduct was intentional or negligent. 52 Pa. Code § 69.1201(c)(3). "This factor may only be considered in evaluating litigated cases." *Id.* This factor does not apply to the present case since this matter is being resolved through a settlement of the Parties.

The fourth factor to be considered is whether the Company has made efforts to change its practices and procedures to prevent similar conduct in the future. 52 Pa. Code § 69.1201(c)(4). In response to the July 31, 2019

incident, Columbia Gas moved forward to adopt several changes to its policies and procedures. A comprehensive list of these changes is outlined in the Settlement Agreement, and specifically set forth in Attachment 2 to the Revised Joint Petition. Some of the more significant changes include:

1) Revise its Upgrading Procedure Gas Standard [GS 5500.400] to require the inspection of all abutting and adjacent structures to gas main(s) involved in an incremental upgrading project before significantly increasing the normal operating pressure of a distribution or transmission pipeline above the previously established MAOP. Significantly shall mean the increase in operating pressure requiring a change in service regulation or an incremental increase in pressure as required by 192.557(c).

2) Develop and implement a program or process which ensures identification of the location, main, and pressure system for each service line tap within Columbia Gas service territory. This program or process must be able to identify properties where the actual tap location differs from the street address.

3) Modify the minimum requirements found in Exhibit A under Gas Standard GS 3020.012 for service line records to include street names and address or geospatial data. Where the actual tap location differs from the street address, the service line sketch will include street names and address, until such time the service line record is fully contained within the Company's Geographic Information System. Retrain all impacted Columbia Gas employees on all Company standards that outline the minimum requirements for service line records which includes the locations of the tap and the main. Create a QA/QC program to review service line records to ensure they meet the minimum requirements of the Company standards. Create a program to review all existing service line records to ensure that the record meets the minimum requirements. Establish procedures to identify all service lines in and around every project which significantly increases the MAOP of the system or an incremental increase in pressure as required by 192.557(c), including physical inspections and record inspections of all adjacent structures. This shall include marking out the service location or other equivalent confirmation method prior to any uprate. The mark out or other equivalent confirmation method must include verification of service location.

4) Develop a buffer zone with a minimum of a 500-foot radius of the main to be uprated to capture and verify all service locations of all structures. This buffer zone should consider the length of the service lines.

5) Enhance personnel training, including field, management, supervision and engineering. The Company must develop an uprate training module that incorporates the new procedural changes. This training should be provided to all impacted employees, including management and engineering staff on three (3) year intervals. This training module must also address the low pressure conversions, or re-qualifications.

6) Develop a process to ensure pipeline system updates are correctly mapped. When substantive mapping or record errors are encountered, conduct a causal evaluation investigation into why the maps or records are incorrect so that Company can develop

best practices and training programs to help ensure the errors are reduced or eliminated.

7) Consider mapping system enhancements that would include the following:

a) Enhance the information retained on the Service Line Records (SLR) designating a new data field or a symbol(s) in an existing data field which gives clear indication that a tap location differs from the actual service address. When the tap itself is not depicted in GIS, this designation should be usable within the GIS database and not solely based in a comment section on a scanned tap card.

Conflate the mapping/asset information using high-quality road-edge/centerline information;

b) Capture and store X, Y, and Z coordinates for facility locations (and other asset data) through means which comport with acceptable industry standards;

c) Complete a "Visualization Tool," which will visualize what is connected to mains via service points and will be linked to service record information and drawings; and

d) Capture and store information including but not limited to location of main service taps, curb valves, and other such appurtenances and pipe anomalies for legacy pipe when mains and services are "out of service" through the use of in-line cameras, geospatial technology and/or other means.

8) Discontinue use of incremental uprates for low pressure to elevated pressure. Utilize requalification (air pressure test) process to convert low pressure to elevated pressure systems.

Each of these modifications to the Company's internal procedures and commitments address the alleged conduct at issue and are designed to prevent a similar incident from occurring again. Moreover, the improvements provide a significant benefit to public safety.

The fifth factor to be considered relates to the number of customers affected by the Company's actions and the duration of the violations. 52 Pa. Code § 69.1201(c)(5). In this case, at approximately 4:00 PM on July 31, 2019, a natural gas explosion occurred that resulted in at least four non-life-threatening injuries, demolished the entire residential structure at 100 Park Lane, and caused severe damage to neighboring homes in the area.

The sixth factor to be considered relates to the compliance history of Columbia Gas. 52 Pa. Code § 69.1201(c)(6). An isolated incident from an otherwise compliant company may result in a lower penalty, whereas frequent, recurrent violations by a company may result in a higher penalty. Id. Columbia Gas has been the subject of multiple proceedings over the past twelve years where the Commission imposed civil penalties arising from alleged gas safety violations or rejected proposed civil penalties as being inadequate.

Columbia Gas has been the subject of multiple proceedings over the past twelve years where the Commission imposed civil penalties arising from alleged gas safety violations or rejected proposed civil penalties as being inadequate. The following compliance history of Columbia Gas encompasses all but two of the civil penalties im-

posed on the company between 2010 and 2022. The two instances were omitted because they involved low penalty amounts.⁶

In *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. M-2016-2378672 (Order entered December 7, 2017), a settlement between I&E and Columbia Gas arose following two separate incidents of contractor employee injuries in 2013. The first incident occurred due to failure to warn a contract employee reconnecting two pipeline segments that the section was still under pressure from an earlier test. When the end cap blew off the still-pressurized segment, the contractor employee sustained a severe leg injury. The second incident involved a contractor employee who sustained injuries to his foot and ankle while working at the receiving end of a pigging operation. I&E's post-incident investigations found that a contract employee involved in the pigging operation was not in compliance with Columbia Gas operating procedures, having not successfully passed the qualification test necessary to engage in any construction and maintenance activities. I&E investigations led to allegations that during both incidents Columbia Gas and its contractor failed to exercise reasonable care to reduce the hazards to which employees, customers, and others may be subjected. The Commission approved a settlement agreement wherein Columbia Gas agreed to pay a civil penalty amount of \$50,000.00 as a result of these serious employee safety-related incidents.

In *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. M-2014-2306076 (Order entered Dec. 18, 2014), the Commission modified a settlement agreement wherein Columbia Gas agreed to pay a civil penalty following nine separate incidents investigated by I&E. I&E's investigations determined that the conduct of Columbia Gas included the following: (1) failure to check and service valves at the required regulatory intervals; (2) six instances of pipelines operating at pressures exceeding the maximum allowable operating pressure; (3) lack of pressure regulation devices to prevent accidental overpressuring; and (4) excavation damage of a pipeline due to failure to provide temporary marking of buried pipeline in the excavation area and related failures of personnel responding to the location request. The Commission modified the proposed settlement agreement between Columbia Gas and I&E to raise the civil penalty amount from \$110,000.00 to \$200,000.00. The Commission denied reconsideration of the modified amount, stating that the inherent serious nature of a high number of alleged incidents—all gas safety incidents posing a danger to public safety—warranted a higher civil penalty.

In *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. C-2010-2071433 (Order entered August 31, 2012), the Commission approved a settlement agreement in which Columbia Gas agreed to pay a civil penalty of \$5,000.00 resolving allegations that it released the confidential billing and account information of twenty-two customers.

In *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. M-2009-15053996 (Order entered August 3,

2010), the Commission approved a settlement agreement in which Columbia Gas agreed to pay a civil penalty of \$10,000.00 resolving allegations that it failed to keep adequate maps and records of its distribution system and that it failed to locate and mark its buried service line as requested through the One Call System.

In summary, given the compliance history of Columbia Gas as it relates to allegations of gas safety violations over the past decade, the substantial civil penalty of \$990,000.00 in this proceeding is warranted.

The seventh factor to be considered relates to whether the Company cooperated with the Commission's investigation. 52 Pa. Code § 69.1201(c)(7). I&E submits that Columbia Gas cooperated in the Investigation and settlement process in this matter and that such cooperation demonstrates a commitment consistent with public safety goals and objectives.

The eighth factor to be considered is the appropriate settlement amount necessary to deter future violations. 52 Pa. Code § 69.1201(c)(8). I&E submits that a civil penalty amount of \$990,000.00, which is not tax deductible, is sufficient to deter the Company from committing future violations of the nature alleged here. The instant Settlement would contain one of the highest if not the highest civil penalty ever imposed upon Columbia, appropriately recognizing the seriousness of pipeline overpressuring. Thus, all the factors in 52 Pa. Code § 69.1201 were considered when determining whether the civil penalty is appropriate, including the fact that the parties agreed to settle the matter rather than engage in litigation.

The ninth factor to be considered relates to past Commission decisions in similar situations. 52 Pa. Code § 69.1201(c)(9). I&E submits that the instant Settlement provides comparable or even superior relief to prior enforcement matters involving similar pipeline safety violations.

I&E submits that the instant Settlement Agreement, as revised, should be viewed on its own merits and is fair and reasonable. However, in looking at the relevant factors that are comparable to other pipeline matters involving violations of pipeline safety violations that resulted in very serious consequences, the instant Settlement is consistent with past Commission actions in that a substantial civil penalty will be paid and numerous, valuable corrective actions to address the alleged violations will be or have been performed.

The tenth factor considers "other relevant factors." 52 Pa. Code § 69.1201(c)(10). I&E submits that an additional relevant factor—whether the case was settled or litigated—is of pivotal importance to this Settlement Agreement. A settlement avoids the necessity for the governmental agency to prove elements of each allegation. In return, the opposing party in a settlement agrees to a lesser fine or penalty, or other remedial action. The fines and penalties, and other remedial actions resulting from a fully-litigated proceeding are difficult to predict and can differ from those that result from a settlement. Reasonable settlement terms can represent economic and programmatic compromise while allowing the parties to move forward and to focus on implementing the agreed upon remedial actions.

⁶ See *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa., Inc.*, Docket No. C-2010-2071433 (Order entered August 31, 2012). ("In *White v. Columbia Gas of Pennsylvania, Inc.*, Docket No. F-2009-2096158 (Order entered February 26, 2010), Columbia was ordered to pay a civil penalty of \$250.00 because it failed to provide actual meter readings to a customer as frequently as is required by our Regulations. Finally, in *Harris v. Columbia Gas of Pennsylvania, Inc.*, Docket No. C-2011-2241198 (Order entered January 20, 2012), Columbia was ordered to pay a civil penalty of \$500.00 for failing to provide reasonable and adequate customer service in accordance with its tariff and Commission Regulations.")

In conclusion, I&E fully supports the terms and conditions of the Settlement Agreement, as revised. The terms of the Settlement Agreement, along with the additional information provided consistent with the December 27 Order, reflect a carefully balanced compromise of the interests of the Parties in this proceeding. The Parties are confident that the Commission will find this revised reiteration of the Settlement Agreement to be in the public interest. Acceptance of this Settlement Agreement avoids the necessity of administrative and potential appellate proceedings at what would have been a substantial cost to the Parties.

Wherefore, I&E supports the Settlement Agreement, as revised, as being in the public interest and respectfully

requests that the Commission approve the Settlement in its entirety without modification.

Respectfully submitted,

Michael L. Swindler
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 Bureau of Investigation and
 Enforcement
 mswindler@pa.gov

Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120

Dated: February 27, 2023

Appendix C
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission,
 Bureau of Investigation and Enforcement's
 Investigation of Columbia Gas of
 Pennsylvania, Inc.'s July 31, 2019 Uprating
 Incident at 100 Park Lane, Washington,
 Washington County, Pennsylvania

:
 :
 : Docket No. M-2022-3012079
 :
 :
 :

COLUMBIA GAS OF PENNSYLVANIA, INC.'s
STATEMENT IN SUPPORT OF
SETTLEMENT AGREEMENT

Columbia Gas of Pennsylvania, Inc. ("Columbia Gas" or "the Company"), by and through its counsel, hereby respectfully submits its Statement in Support of the Revised Joint Petition for Approval of Settlement⁷ ("Settlement Agreement") submitted in the above-captioned proceeding. The terms and conditions of the Settlement Agreement are in the public interest and represent a fair, just, reasonable, and equitable resolution of the matters described therein. Approval of the Settlement Agreement is consistent with the Commission's Policy Statement for Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations, 52 Pa. Code § 69.1201.

Columbia Gas and the Commission's Bureau of Investigation and Enforcement ("I&E") engaged in extensive exchange of information and negotiations to reach agreement on the terms of the Settlement Agreement, and Columbia Gas submits that the Settlement Agreement is in the public interest, as supported by the following factors:

I. Background

1. As the Settlement Agreement indicates, this matter resolves an informal investigation initiated by I&E as a result of information provided by the Commission's Safety Division relating to the explosion that occurred on July 31, 2019 at 100 Park Lane in Washington, Washington County, Pennsylvania.

2. I&E and other bureaus with enforcement authority are the entities established by statute to initiate proceedings against public utilities that are prosecutory in nature. (Delegation of Prosecutory Authority to Bureaus with Enforcement Responsibilities, M-00940593, Order

entered September 2, 1994), as amended by Act 129 of 2008, 66 Pa.C.S.A § 308.2(a)(11). Moreover, pursuant to Section 59.33(b) of the Commission's regulations, 52 Pa. Code § 59.33(b), I&E's Safety Division has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101—60503 and as implemented at 49 CFR Parts 191—193, 195 and 199.

3. Columbia Gas has its principal place of business located in Canonsburg, Pennsylvania and at all times relevant to this proceeding was a public utility, as defined by 66 Pa.C.S. § 102, engaged in providing natural gas service to the public for compensation.

4. Columbia Gas and I&E had previously submitted a Joint Petition for Settlement for the Commission's consideration on March 4, 2022, in the above-referenced docket. By Order entered June 16, 2022, the Commission provided interested parties with the opportunity to submit comments of the Joint Petition for Settlement. Comments were filed by: North Franklin Township, the Pennsylvania Office of Consumer Advocate, and Richard C. Culbertson. Reply Comments were filed by I&E and Columbia Gas.

5. By Order entered on December 27, 2022 ("December 27th Order"), the Commission denied the Joint Petition for Settlement and referred the matter back to I&E for further investigation. The December 27th Order stated that the Commission was unable to make an informed determination on the matter without information regarding (1) whether any remedial measures stemming from the 2018 MA Event were recommended for Columbia Gas and, if so, whether they were effectuated; (2) an estimated timeline for completion of each of the corrective actions proposed in the Settlement; and (3) an accounting of the monetary damage caused by the explosion and if Columbia Gas ratepayers will be responsible for the financial liability associated with the explosion. The Order provided that a settlement in the matter could be refiled within sixty days of the entry of the order.

6. Subsequent to the entry of the Commission's December 27th Order and referral of this matter back to I&E,

⁷ Columbia Gas and I&E had previously submitted a Joint Petition for Settlement for the Commission's consideration on March 4, 2022, in the above-referenced docket.

the Parties engaged in further discussions in order to gather the additional information sought by the Commission so that the Commission could make an informed determination that the Settlement Agreement, as revised, is in fact in the public interest.

II. Parties' Positions

7. The averments of I&E contained in sections II.C. and III. of the Settlement Agreement were formulated without the benefit of a hearing and certain averments are or may be disputed by Columbia Gas.

8. The Parties' agreement to settle the matters described in I&E's averments was made without any admission or prejudice to any position that they might adopt during any subsequent administrative or court proceeding of whatever nature, including any necessary subsequent litigation of the issues addressed in the Settlement Agreement in the event that this settlement is rejected by the Commission or otherwise properly withdrawn by either of the parties.

III. Settlement Agreement

9. The parties to the Settlement Agreement have engaged in extensive and detailed discussions with respect to the allegations and defenses relating to each of the matters described in Paragraphs 43 through 47 of the Settlement Agreement. The purpose of this Settlement Agreement is to resolve these matters without litigation in a manner that minimizes concerns regarding future similar events.

10. Columbia Gas has been cooperative and pro-active in addressing the concerns identified in Paragraphs 43 through 47 of the Settlement Agreement.

11. Based upon the foregoing, the parties have agreed to the entry of an Order directing as follows in Paragraphs 9 through 10, below:

12. Columbia Gas agrees to pay a total civil penalty of \$990,000.00 within thirty days of the date of the Commission's Final Order approving the Settlement Agreement. Columbia Gas will not seek recovery of any portion of the civil penalty amount in any future ratemaking proceeding, and agrees that it will not be tax deductible under Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f).

13. Columbia Gas agrees to take the following steps to prevent a similar occurrence:

1) Revise its Upgrading Procedure Gas Standard [GS 5500.400] to require the inspection of all abutting and adjacent structures to gas main(s) involved in an incremental upgrading project before significantly increasing the normal operating pressure of a distribution or transmission pipeline above the previously established MAOP. Significantly shall mean the increase in operating pressure requiring a change in service regulation or an incremental increase in pressure as required by 192.557(c).

2) Develop and implement a program or process which ensures identification of the location, main, and pressure system for each service line tap within Columbia Gas service territory. This program or process must be able to identify properties where the actual tap location differs from the street address.

3) Modify the minimum requirements found in Exhibit A under Gas Standard GS 3020.012 for service line records to include street names and address or geospatial data. Where the actual tap location differs from the street address, the service line sketch will include street names and address, until such time the service line record is fully contained within the

Company's Geographic Information System. Retrain all impacted Columbia Gas employees on all Company standards that outline the minimum requirements for service line records which includes the locations of the tap and the main. Create a QA/QC program to review service line records to ensure they meet the minimum requirements of the Company standards. Create a program to review all existing service line records to ensure that the record meets the minimum requirements. Establish procedures to identify all service lines in and around every project which significantly increases the MAOP of the system or an incremental increase in pressure as required by 192.557(c), including physical inspections and record inspections of all adjacent structures. This shall include marking out the service location or other equivalent confirmation method prior to any uprate. The mark out or other equivalent confirmation method must include verification of service location.

4) Develop a buffer zone with a minimum of a 500 foot radius of the main to be uprated to capture and verify all service locations of all structures. This buffer zone should consider the length of the service lines.

5) Enhance personnel training, including field, management, supervision and engineering. The Company must develop an uprate training module that incorporates the new procedural changes. This training should be provided to all impacted employees, including management and engineering staff on three (3) year intervals. This training module must also address the low pressure conversions, or re-qualifications.

6) Develop a process to ensure pipeline system updates are correctly mapped. When substantive mapping or record errors are encountered, conduct a causal evaluation investigation into why the maps or records are incorrect so that Company can develop best practices and training programs to help ensure the errors are reduced or eliminated.

7) Consider mapping system enhancements that would include the following:

a) Enhance the information retained on the Service Line Records (SLR) designating a new data field or a symbol(s) in an existing data field which gives clear indication that a tap location differs from the actual service address. When the tap itself is not depicted in GIS, this designation should be usable within the GIS database and not solely based in a comment section on a scanned tap card.

Conflate the mapping/asset information using high-quality road-edge/centerline information;

b) Capture and store X, Y, and Z coordinates for facility locations (and other asset data) through means which comport with acceptable industry standards;

c) Complete a "Visualization Tool," which will visualize what is connected to mains via service points and will be linked to service record information and drawings; and

d) Capture and store information including but not limited to location of main service taps, curb valves, and other such appurtenances and pipe anomalies for legacy pipe when mains and services are "out of service" through the use of in-line cameras, geospatial technology and/or other means.

8) Discontinue use of incremental uprates for low pressure to elevated pressure. Utilize requalification (air pressure test) process to convert low pressure to elevated pressure systems.

14. Notably, Columbia Gas had already voluntarily initiated several of the terms specified in Paragraph 10 above as part of its response to the incident.

15. As provided in Attachment B of the Settlement Agreement, the terms specified in Paragraph 10 above have largely been completed, with the remaining terms targeted for completion by July 1, 2023.

16. In consideration of the Columbia Gas' payment of a civil penalty in the amount of \$990,000.00, as described herein, and implementation and completion of the corrective actions described above in Paragraphs 10 of this Statement in Support, I&E has expressly agreed to forbear the institution of any formal complaint or other informal investigation that relates to the Columbia Gas' conduct as alleged in Paragraphs 43 through 47 of the Settlement Agreement.

17. Nothing in the Settlement Agreement shall affect the Commission's authority to receive and resolve any informal or formal complaints filed by any affected party with respect to the alleged events covered by the Settlement Agreement, except that no further enforcement action, including but not limited to civil penalties, shall be imposed by the Commission on Columbia Gas for any actions that are within the scope of the Settlement Agreement.

18. Columbia Gas submits that the Settlement Agreement is in the public interest, and therefore requests that the Commission approve the Settlement Agreement as in the public interest. The Settlement Agreement is expressly conditioned upon the Commission's approval under applicable public interest standards without modification, addition, or deletion of any term or condition herein. The parties have agreed that if the Commission Order substantively modifies the terms of the Settlement Agreement, any party may give notice to the other that it is withdrawing from the Joint Petition for Approval of Settlement. Such notice must be in writing and must be given within twenty (20) business days of the issuance of the Final Order which adopts the Settlement Agreement with substantive modifications of its terms. In the event that a party withdraws from the Joint Petition for Approval of Settlement, I&E and Columbia Gas jointly agree that nothing in the Joint Petition shall be construed as an admission against or as prejudice to any position which any party might adopt during litigation of this case.

19. Nothing contained in the Settlement Agreement may be used or construed by any person as an admission of any fact by Columbia Gas. The Settlement Agreement is proposed by the Parties without any admission against, or prejudice to, any position which any Party may adopt during any subsequent administrative or court proceeding of whatever nature.

IV. *Compliance with the Commission's Policy Statement on Litigated and Settled Proceedings Involving Violation of the Public Utility Code and Commission Regulations*

20. Columbia asserts that approval of the Settlement Agreement is consistent with the Commission's Policy Statement for Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations, 52 Pa. Code § 69.1201 ("Policy Statement").

21. Under this Policy Statement, the Commission will consider specific factors when evaluating settlements of alleged violations of the Public Utility Code and Commis-

sion's Regulations. These factors are: (1) Whether the conduct at issue was of a serious nature, such as willful fraud or misrepresentation; (2) Whether the resulting consequences of the conduct at issue were of a serious nature, such as personal injury or property damage; (3) Whether the conduct at issue was deemed intentional or negligent (may only be considered when evaluating litigated cases); (4) Whether the regulated entity made efforts to modify internal policies and procedures to address the conduct at issue and prevent similar conduct in the future; (5) The number of customers affected and the duration of the violation; (6) The compliance history of the regulated entity that committed the violation; (7) Whether the regulated entity cooperated with the Commission's investigation; (8) The amount of the civil penalty or fine necessary to deter future violations; (9) Past Commission decisions in similar situations; and (10) Other relevant factors. 52 Pa. Code § 69.1201(c).

22. When applied to settled cases, the Commission will not apply the standards as strictly as it will in litigated cases. 52 Pa. Code § 69.1201(b).

23. With regard to the first standard and starting point in the Policy Statement, whether the conduct at issue was of a serious nature, such as willful fraud or misrepresentation, there is no suggestion in the descriptions of alleged violations in the Settlement Agreement that Columbia Gas engaged in willful fraud or misrepresentation. With that said, Columbia Gas recognizes that the provision of natural gas to customers is, by nature, a serious matter, and that inadvertent errors can be serious in nature in that they can result in serious property damage and/or loss of life. The terms of the Settlement Agreement adequately take Columbia's alleged conduct into account, while taking into consideration the Company's response to the incident.

24. With regard to the second standard set out in the Policy Statement, whether the resulting consequences attributable to the conduct at issue were of a serious nature, Columbia submits that its alleged conduct, as described in the Settlement Agreement, including Attachment 3, did result in serious consequences. Columbia submits that the terms of Settlement Agreement recognizes the seriousness of the incident and the corrective actions Columbia has agreed to implement are designed to minimize the likelihood that a similar incident will occur in the future.

25. Since this is a settled matter, the third standard set out in the Policy Statement, whether the alleged conduct at issue was intentional or negligent, is not at issue.

26. Under the fourth standard in the Policy Statement, the Commission will consider modifications that Columbia undertook to prevent a similar situation from occurring in the future. Modifications to be considered include activities such as requiring additional trainings and improving company policies and techniques. Under the Settlement Agreement, as described above, Columbia Gas will adopt numerous changes to its policies and procedures to enhance the safety of its service. With respect to the timing it has taken Columbia implement changes to its policies and practices, it should be noted that the Company began implementation of several corrective measures immediately after the incident.

27. Regarding the fifth standard in the Policy Statement, which relates to the number of customers affected and the duration of the incident, the incident led to the temporary interruption of natural gas service to approximately sixty (60) Columbia Gas customers. The terms of

the Settlement recognize the serious nature of the incident and the number of customers impacted.

28. Regarding the sixth standard in the Policy Statement, the compliance history of Columbia Gas, in the past eleven (11) years, the Company has had two gas safety related incident that have resulted in civil penalties, ranging from \$50,000 to \$200,000, and a third incident is currently pending before the Commission with a proposed civil penalty of \$535,000. See Docket Nos. M-2014-2306076; M-2016-2378672; and M-2021-3005572. The increased civil penalties that have been agreed upon between Columbia and I&E in the instant matter reflect this history.

29. Regarding the seventh standard in the Policy Statement, Columbia cooperated fully with I&E in its investigation. There are no facts alleged that would tend to establish bad faith on the part of Columbia Gas, active concealment of violations, or attempts to interfere with the Commission's investigation.

30. Regarding the eighth standard in the Policy Statement, Columbia Gas submits that the civil penalty of \$990,000.00 will adequately serve to deter future violations. The assessment of a \$990,000.00 civil fine would be the highest civil penalty that the Commission has assessed against Columbia Gas to date, and is one of the highest civil penalties assessed against any natural gas distribution company providing utility service in the Commonwealth.

31. Regarding the ninth standard in the Policy Statement, please see Paragraph 26, above.

32. Regarding the tenth standard in the Policy Statement, Columbia Gas submits that it is in the public interest to settle this matter so as to avoid the expense of litigation. Moreover, the Settlement is in the public

interest because it will result in public benefits that will promote gas safety and reliability in Columbia's service territory.

33. Columbia Gas submits that both Parties' efforts have resulted in fair and equitable settlement that is in the public interest. The Commission has consistently encouraged settlements to avoid the time and expense associated with litigation. The parties submit that the Settlement Agreement is in the public interest because it recognizes the alleged incidents, while effectively addressing and resolving the issues raised by the investigation, and avoids the time and expense of litigation, which entails hearings, filings of briefs, exceptions, reply exceptions, and appeals. The Company has also agreed to pay a civil penalty and implement a number of corrective actions that will enhance the safety and reliability of service provided by Columbia Gas. The Settlement Agreement clearly meets the standards set forth in Section 69.1201.

Wherefore, Columbia Gas of Pennsylvania, Inc. respectfully requests that the Pennsylvania Public Utility Commission adopt an order approving the terms of the Settlement Agreement as being in the public interest.

Respectfully submitted
Columbia Gas of Pennsylvania, Inc.

By:

Amy E. Hirakis
Senior Counsel
NiSource Corporate Services Co.
800 North Third Street
Harrisburg, PA 17012
717-210-9625

Date: February 27, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :
Bureau of Investigation and Enforcement's :
Investigation of Columbia Gas of : Docket No. M-2022-3012079
Pennsylvania, Inc.'s July 31, 2019 Uprating :
Incident at 100 Park Lane, Washington, :
Washington County, Pennsylvania :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Electronic Mail:

Amy E. Hirakis, Esq.
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Pennsylvania Public Utility Commission
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Commonwealth Keystone Building
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Dated: February 27, 2023

[Pa.B. Doc. No. 23-623. Filed for public inspection May 5, 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 May 22, 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 May 22, 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-2023-3039493. A to B Royalty Transportation, LLC (5031 Parrish Street, Philadelphia, Philadelphia County, PA 19139) to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning and operating motor vehicles, from points in Delaware and Montgomery County and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2023-3039917. Aladdin Limo, Inc. (3808 Henry Avenue, Philadelphia, Philadelphia County, PA 19129) to transport persons, by motor vehicles, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Bucks, Chester, Delaware, Lehigh, Montgomery and Philadelphia, except those areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David Temple, Esq., 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

A-2023-3039941. Horizon Health Care, LLC (19509 Windsor Circle, Unit B, Hagerstown, MD 21742) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Adams, Bedford, Cumberland, Franklin, Fulton, Huntingdon, Juniata, Perry and York, to points in Pennsylvania, and return.

A-2023-3040108. Telespond Senior Services, Inc. (1200 Saginaw Street, Scranton, Lackawanna County, PA 18505) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the

Counties of Lackawanna, Luzerne, Monroe, Susquehanna and Wayne, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-624. Filed for public inspection May 5, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Wastewater Service

A-2022-3037221. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply wastewater service to the public in an additional portion of Chambersburg Road, Franklin Township, Adams County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, May 22, 2023. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m. Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Elizabeth Rose Triscari, Esquire, Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055, elizabeth.triscari@amwater.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-625. Filed for public inspection May 5, 2023, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101.

July 12, 2023	Account of Suzanne Glenn (Purchase of Out-of-State Service)	10 a.m.
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Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to attend the proceeding should contact the Appeal Docket Clerk at (717) 720-4888 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective

positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

TERRILL J. SANCHEZ,
Executive Director

[Pa.B. Doc. No. 23-626. Filed for public inspection May 5, 2023, 9:00 a.m.]
