

# PENNSYLVANIA BULLETIN

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The Courts  
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Department of Banking and Securities  
Department of Community and Economic  
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Department of Education  
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Department of Health  
Department of Human Services  
Department of Revenue  
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Health Care Cost Containment Council  
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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 586, September 2023**

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

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

## **Citation to the *Pennsylvania Bulletin***

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

## ***Pennsylvania Code***

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

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

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

### **How to Find Rules and Regulations**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

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

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

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

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

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

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

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

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

*Court Rules in Titles 201—246 of the Pennsylvania Code*

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

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### Fiscal Notes

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

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2023.

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# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[ 4 PA. CODE CH. 1 ]

[ EXECUTIVE ORDER NO. 2023-18 ]

#### Improving State Government Contracting Opportunities for Pennsylvania's Small Businesses and Small Diverse Businesses

September 5, 2023

*Whereas*, the Commonwealth recognizes that the majority of economic growth stems from the growth of small businesses and small diverse businesses and that the Commonwealth's economic development strategy must involve solutions that specifically address the needs of small businesses and small diverse businesses; and

*Whereas*, the Commonwealth is committed to providing equality and opportunity for all Pennsylvanians, including increased access to economic opportunity; and

*Whereas*, this Administration understands that for Pennsylvania to have a thriving economy, everyone must have access and the opportunity to participate in a transparent government procurement process that supports small businesses and small diverse businesses; and

*Whereas*, by previous Executive Orders and pursuant to law, Commonwealth agencies under the Governor's jurisdiction (Agencies) have all been directed to encourage greater participation from small businesses and small diverse businesses; and

*Whereas*, in 2017, the Commonwealth commissioned its first-ever comprehensive disparity study to help inform the Department of General Services (DGS) and the Department of Transportation (DOT) in implementing a Small Diverse Business and Disadvantaged Business Enterprise Program, respectively, to encourage the participation of small diverse businesses in Pennsylvania's government procurement process; and

*Whereas*, this Administration recognizes the need for continued improvements to the Small Diverse Business Program by expanding the opportunity available to small diverse businesses, increasing the Commonwealth's operational spend for small diverse businesses, and enhancing data reporting; and

*Whereas*, comprehensive technical and business support from Agencies is paramount to increase opportunities for small businesses and small diverse businesses to compete for state government contracts, to improve the Commonwealth procurement process, and to achieve continued equitable economic growth for small businesses and small diverse businesses.

*Now, Therefore*, I, Josh Shapiro, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby order and direct as follows:



Governor

**Fiscal Note:** GOV-2023-18. No fiscal impact; recommends adoption.

**Annex A**  
**TITLE 4. ADMINISTRATION**  
**PART I. GOVERNOR'S OFFICE**  
**CHAPTER 1. AGENCY OPERATION AND ORGANIZATION**  
**Subchapter DDD. [Reserved]**

§§ 1.831—1.834. [Reserved].

**Subchapter MMM. IMPROVING STATE GOVERNMENT  
CONTRACTING OPPORTUNITIES FOR COMMONWEALTH SMALL  
BUSINESSES AND SMALL AND DIVERSE BUSINESSES**

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§ 1.927.	Rescission.

**§ 1.921. Definitions.**

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

*Agency*—A Commonwealth agency under the Governor's jurisdiction.

*CDFI*—Community development financial institutions.

*CODE PA*—The Commonwealth Office of Digital Experience.

*DCED*—The Department of Community and Economic Development of the Commonwealth.

*DGS*—The Department of General Services of the Commonwealth.

*DOT*—The Department of Transportation of the Commonwealth.

*PACIP*—The Pennsylvania Advisory Council for Inclusive Procurement.

*SBR*—Small business reserve.

**§ 1.922. Responsibilities.**

(a) DGS shall lead and coordinate efforts with agencies to increase their participation in the Commonwealth's SBR program. DGS shall post data on a semiannual basis for each agency's total qualifying operational spend for SBR procurements.

(b) The Secretary of General Services shall utilize the United States Small Business Administration's methodology and Commonwealth-specific data to inform the Commonwealth's definition of a small business as it relates to the highest revenue limit.

(c) DGS and DOT shall collaboratively undertake joint initiatives to facilitate an open, inclusive and accessible contracting environment with the goal of increasing small businesses and small diverse businesses spending as a percentage of all dollars paid for goods and services by the agencies for their respective programs. These initiatives include the following:

(1) *Undertaking outreach and engagement with prospective small diverse businesses.* DGS and DOT shall use internal resources to develop and execute an outreach strategy to identify relevant small diverse businesses doing business in this Commonwealth that could provide goods or services to the Commonwealth. DGS and DOT shall leverage external partners, including small business development centers, incubators, CDFIs, local governments, chambers of commerce and anchor institutions, to identify and connect with small diverse businesses.

(2) *Connecting firms to wraparound business assistance.* DGS and DOT shall partner with DCED and external partners to connect small businesses and small diverse businesses doing business with the Commonwealth to curriculum and services to support financial management, and strengthen their overall project management, navigate bonding and insurance requirements, and access government contracting opportunities, including provid-

ing effective responses to solicitations. These resources shall be deployed through trainings and, where possible, highlighted on the DGS and DOT web sites.

(3) *Developing consistent and regular data reporting.* DGS shall develop an internal data dashboard and reporting mechanisms to provide regularly updated information on agencies' procurement spending levels and percentages, including data on the agencies' small business and small diverse business programs. DGS shall post a list of all previous contracts awarded to small businesses and small diverse businesses and awarded prime contractor's engagement of small subcontractors and small diverse subcontractors from Fiscal Year 2018 forward, including a standardized dataset on awarded contracts by category and spend amounts.

(4) *Promoting efficient verification.* DGS shall ensure completed verification requests take no longer than 10 business days to approve.

(5) *Ensuring prompt vendor payments.* DGS shall establish a policy that directs agencies' prime contractors in bid solicitations for contracts for goods and services to pay their small business subcontractors and small diverse business subcontractors within 10 days of completed, acceptable deliverables and after receipt of payment from the Commonwealth.

(6) *Promoting financing and capital access options.* DGS and DOT, in partnership with DCED, shall facilitate partnerships with external partners, including CDFIs, to promote financial tools, training and resources that serve small businesses and small diverse businesses. Additionally, DGS and DOT shall solicit feedback from the small business and small diverse business communities to inform PACIP on matters that may assist in the improvement of existing and potential future Commonwealth-based loan programs and explore pilot programs that address capital access issues.

(7) *Facilitating beneficial partnerships between prime contractors and subcontractors.* DGS and DOT shall facilitate more efficient matching and partnerships between prime contractors and available subcontractors, and vice-versa, by industry, capability and region.

(8) *Creating a mentor-protégée program.* DGS and DOT shall lead and coordinate efforts to increase small business and small diverse business participation in mentor-protégée programs across this Commonwealth, working to streamline and collaborate on existing partnership initiatives.

(9) *Delivering a comprehensive and consistent user experience for businesses in this Commonwealth.* DGS and DOT shall partner with CODE PA to promote a whole government approach to support all small businesses and small diverse businesses through an integrated digital experience. This approach shall support small businesses and small diverse businesses accessing available Commonwealth resources to assist them with navigating the procurement process.

**§ 1.923. Pennsylvania Advisory Council for Inclusive Procurement.**

(a) *Establishment.* There is hereby established the Pennsylvania Advisory Council for Inclusive Procurement to advise the Governor's Office and agencies on ways to improve contracting opportunities in this Commonwealth.

(b) *Membership.*

(1) The PACIP shall be chaired by the Lieutenant Governor, with the Secretary of General Services and the Secretary of Transportation serving as co-vice chairpersons.

(2) The Secretary of Community and Economic Development, Secretary of Labor and Industry and the Secretary of Banking and Securities shall be members of the PACIP.

(3) Additional PACIP members shall be appointed to a 2-year rotating term by the Governor and shall serve at his pleasure. These additional PACIP members may be recommended to the Governor by the chairperson and co-vice chairpersons and shall be comprised of small diverse business stakeholders.

(4) Members of the PACIP shall receive no compensation for their service on the PACIP.

(c) *Meeting.* Beginning no later than December 31, 2023, the PACIP shall meet quarterly to provide input and feedback on program goals, metrics and policies, as determined by the chairperson and co-vice chairpersons.

**§ 1.924. Interagency workgroup.**

The Secretary of General Services and the Secretary of Transportation shall designate employees of their departments to serve on an interagency workgroup to execute and report on the responsibilities set forth in § 1.922(c) (relating to responsibilities). The Lieutenant Governor shall work with the Secretary of General Services and the Secretary of Transportation to determine the reporting mechanisms of the interagency workgroup to the PACIP, including the content, frequency and format of its reporting.

**§ 1.925. Implementation.**

Agencies shall take all steps necessary to implement this subchapter. This subchapter shall be implemented consistent with applicable law. This subchapter is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies or entities, its officers, employees or agents, or any other persons. Independent agencies are also strongly encouraged to participate.

**§ 1.926. Effective date.**

This subchapter shall take effect immediately and shall remain in effect until amended or rescinded by the Governor.

**§ 1.927. Rescission.**

Effective immediately, Executive Order 2015-11—Diversity, Inclusion and Small Business Opportunities in Commonwealth Procurement and in Pennsylvania's Economy, dated September 23, 2015, is hereby rescinded.

*(Editor's Note: 4 Pa. Code Chapter 1, Subchapter DDD, §§ 1.831—1.834, which is the codification of Executive Order 2015-11, is reserved as a result of the rescission of Executive Order 2015-11 under § 1.927.)*

[Pa.B. Doc. No. 23-1315. Filed for public inspection September 29, 2023, 9:00 a.m.]

# THE COURTS

## Title 255—LOCAL COURT RULES

### ADAMS COUNTY

#### Amendment of Rules of Criminal Procedure; Administrative Order No. 18 of 2023

##### Order of Court

*And Now*, this 11th day of August, 2023, *It Is Ordered* that Adams County Rules of Criminal Procedure are amended to add new Rule 625, as follows:

[ 599—699. Reserved. ]

##### Rule 625. Juror Qualification Form.

**A. Court Administration shall devise a juror qualification form limited to questions sufficient to determine a person's qualification to serve as a juror as required by 42 Pa.C.S.A. § 4521(d)(1). The juror qualification form shall be in a format that substantially allows for responses to the following questions:**

- 1. Are you a resident of Adams County?**
- 2. Are you a citizen of the Commonwealth of Pennsylvania?**
- 3. Can you read, write and understand the English language?**
- 4. Have you been convicted of a crime punishable by imprisonment for more than one year and not granted a pardon or amnesty?**
- 5. Are you incapable, by reason of mental or physical infirmity, to render efficient jury service?**
- 6. Are you 18 years of age or older?**

**B. The juror qualification form shall include a signature line for which the person completing the form declares under penalty of perjury that the responses to the questions on the form are true to the best of the person's knowledge.**

**C. The questions outlined in this Rule and the responses contained therein from prospective jurors shall constitute in whole a completed juror qualification form, and only this form shall be made available to the attorney for the Commonwealth or the defendant's attorney for review or copying, upon request, as permitted by Pa.R.Crim.P. 625(A)(1)(d).**

This rule amendment shall become effective after all the provisions of the Pennsylvania Rules of Criminal Procedure are met, to include the following:

a. A certified copy of this order shall be submitted to the Criminal Procedural Rules Committee for review;

b. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local rules is not inconsistent with any general rule of the Supreme Court, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts;

d. A copy of the local rule shall be published on the Unified Judicial System's website.

e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

f. The effective date of the local rule shall be 30 days after publication in the *Pennsylvania Bulletin*.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 23-1316. Filed for public inspection September 29, 2023, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### ADAMS COUNTY

#### Amendment of Rules of Criminal Procedure; Administrative Order No. 19 of 2023

##### Order of Court

*And Now*, this 15th day of August, 2023, upon recommendation from the State Criminal Rules Committee as to Administrative Order 11 of 2023, *It Is Ordered* that Adams County Rules of Criminal Procedure are amended, as follows:

##### **Rule 576.1. Electronic Filing and Service of Legal Papers.**

A. Pursuant to Pa.R.Crim.P. 576.1, the Administrative Office of Pennsylvania Courts and the 51st Judicial District have agreed upon an implementation plan for electronic filing of criminal legal papers through the statewide system known as PACFile, effective March 9, 2020.

B. All parties **identified as electronic filing participants by Pa.R.Crim.P. 576.1(D)** are authorized to electronically file legal papers through PACFile with the clerk of courts in cases in the Adams County Court of Common Pleas, 51st Judicial District.

C. Any party **identified as electronic filing participants by Pa.R.Crim.P. 576.1(D)** may[, but is not required to,] utilize PACFile for any document except the following:

1. applications for search warrants,
2. applications for arrest warrants,
3. any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment,
4. submissions filed ex parte as authorized by law, and
5. submissions filed or authorized to be filed under seal.

**6. exhibits offered into evidence, whether or not admitted, in a court proceeding.**

D. Any party who is [**unable or**] **ineligible**, declines, **or not otherwise required** to participate in PACFile may file legal papers in a physical paper format with the clerk of courts, and shall be served legal papers in a physical paper format by the clerk of courts and other parties to the case. However, pursuant to Pa.R.Crim.P. 576.1(D)(2), establishment of a PACFile account shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed in PACFile.

E. Parties utilizing PACFile shall serve physical paper format copies on all parties to the case who do not utilize PACFile, pursuant to Pa.R.Crim.P. 576. When utilizing PACFile, parties shall not be required to serve the court administrator.

**F. In the event an attorney enters an appearance for a defendant who was previously unrepresented and said defendant established a PACFile account while unrepresented, said defendant shall no longer be permitted to utilize PACFile while represented by counsel, as defined under Pa.R.Crim.P. 576.1(D).**

G. On March 9, 2022, all attorneys shall be required to file criminal legal papers electronically through PACFile in the 51st Judicial District, subject to the provisions in this Rule.

This rule amendment shall become effective after all the provisions of the Pennsylvania Rules of Criminal Procedure are met, to include the following:

a. A certified copy of this order shall be submitted to the Criminal Procedural Rules Committee for review;

b. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local rules is not inconsistent with any general rule of the Supreme Court, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts;

d. A copy of the local rule shall be published on the Unified Judicial System's website.

e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

f. The effective date of the local rule shall be 30 days after publication in the *Pennsylvania Bulletin*.

g. Upon the effective date this rule, Administrative Order 11 of 2023 shall be *Vacated*.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 23-1317. Filed for public inspection September 29, 2023, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CLINTON COUNTY

#### Local Rule 1035.2(a); No. AD-1103-2023

##### Administrative Order of Court

*And Now*, this 18th day of September, 2023, the Court hereby vacates the current Local Rule 1035.2(a) and adopts the following Local Rule 1035.2(a), effective thirty (30) days after the publication of same in the *Pennsylvania Bulletin*.

Erin Karmen, Judicial Law Clerk, is Ordered and Directed to do the following:

1. File one (1) copy of this Order and the following Local Rule 1035.2(a) with the Administrative Office of Pennsylvania (AOPC) via email to adminrules@pacourts.us.

2. File one (1) copy of this Order and the following Local Rule 1035.2(a) with the Legislative Bureau for publication in The *Pennsylvania Bulletin*.

3. Publish a copy of this Order and the following Local Rule 1035.2(a) on the Clinton County Court website.

4. Publish a copy of this Administrative Order and Local Rule 1035.2(a) on the Clinton County Court website.

*By the Court*

CRAIG P. MILLER,  
*President Judge*

#### **Rule 1035.2(a). Procedures Concerning Disposition of Motions for Summary Judgment.**

(A) *Procedure Defined.*

(1) Motions for Summary Judgment shall be accompanied by a memorandum of law and must be filed in the Office of the Prothonotary.

(2) Service shall be made in conformity with Pa.R.C.P. No. 440.

(3) All motions shall be accompanied by a notice plainly appearing on the fact thereof of the date the motion was filed with the Prothonotary and advising that a reply memorandum of law must be filed within thirty (30) days from that date. The moving party shall also file with the motion an affidavit of service which shall state that the notice required by this rule has been given.

(4) The Prothonotary shall immediately send the Motion for Summary Judgment to the Court Administrator who shall refer the matter to the appropriate Judge. All requests for an extension of the thirty (30) day period to answer such motions must be approved by the Court by a motion addressed to the Court Administrator; no agreement entered into solely by the parties will be honored by the Court.

(5) Any motion subject to this rule which is filed without an accompanying memorandum may be dismissed. If a reply memorandum has not been filed pursuant to the notice required by subsection (3) of this rule, the Court may dispose of the matter without such memorandum.

(6) If any matter is settled or withdrawn prior to disposition, the Court Administrator shall be promptly advised, and the moving party shall file an appropriate praecipe with the Prothonotary.

(7) The Court in its discretion may grant additional time in which to file a reply memorandum, request additional memoranda, call for oral argument, advance the time for filing, or enter an order prior to the expiration of the thirty (30) day period.

(B) *Matters Requiring Factual Supplement to the Record.*

(1) In the case of motions based on facts not presently a part of the record, a memorandum of law and notice to opposing parties to file a reply memorandum of law within thirty (30) days need not be filed contemporaneously with the motion. Instead, the moving party shall indicate that additional testimony is required.

(2) In all such cases, the moving party shall undertake to supplement the record with the necessary facts by affidavit, deposition or testimony, as the case may require, within sixty (60) days from the filing of the motion.

(3) If the Court requires, the moving party shall file a memorandum of law within two (2) weeks from the completion of the supplementation of the record. This memorandum shall be processed as stated above.

[Pa.B. Doc. No. 23-1318. Filed for public inspection September 29, 2023, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### LANCASTER COUNTY

#### Amendment of Local Rules of Civil Procedure; CI-20-06509

##### Administrative Order

*And Now*, this 19th day of September 2023, it is hereby *Ordered* that the following Local Rules of Civil Procedure of the Court of Common Pleas of the 2nd Judicial District of Pennsylvania, Lancaster County, are amended/adopted/rescinded as indicated, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Lancaster County District Court Administrator is *Ordered* to do the following:

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

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

3. Publish these Rules on the Lancaster County Court website at www.court.co.lancaster.pa.us.

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

5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

*By the Court*

DAVID L. ASHWORTH,  
*President Judge*

Rule 205.4. Electronic Filing [ **and Service** ] of Legal Papers.

A. “Electronic [ **Service** ” (e-service) ] **Filing**” (**E-Filing**) means the electronic transmission of docu-

ments to [ **a party, attorney or representative** ] **the court** under these rules. Electronic [ **service does not include service of process or summons to gain jurisdiction over persons or property** ] **filing does not include service of any documents.**

1. **All Civil Actions (including Family Actions)** filed in the Court of Common Pleas of Lancaster County may be filed by [ **electronic filing or eFiling. Also, parties may electronically serve other Advanced File & Serve registered users of the system** ] **E-Filing.**

2. *Registration.* Any person intending to use E-File must register with [ **File and Serve Express (FileandServeXpress.com)** ] **Teleosoft CountySuite Portal. All use of the CountySuite Portal shall be in accordance with the CountySuite Portal user manual. All registered users shall be individuals, not law firms, agencies, corporations or other groups.**

3. *Original document.* **A legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes.**

B. *Form of Documents Electronically Filed.*

1. *Format.* To the extent practicable it shall be formatted in accordance with the applicable rules governing formatting of paper documents, and in such other and further format as the Court may require from time to time. **All electronic filings shall be in PDF format. A document may exceed page limitation rules to a maximum of two (2) additional pages when the additional pages are attributed to the electronic conversion of filing process. The e-File system will automatically convert any filing to [ PDF ] PDF/A format[, but the original format will be available for downloading. The official record of the court is the PDF version ]**.

2. *Title of Documents.* The title of each electronically filed document shall include: [ (1) **Party or parties filing the document;** (2) **Descriptive title of the document;** (3) **Party or parties against whom relief, if any, is sought, and** (4) **Nature of the relief sought (e.g. Defendant ABC Corporation’s Motion for Summary Judgment Against Plaintiff Jones). ]**

**a. Descriptive title of the document;**

**b. Party or parties filing the document;**

**c. Party or parties against whom relief, if any, is sought; and**

**d. Nature of the relief sought (e.g. Defendant ABC Corporation’s Motion for Summary Judgment Against Plaintiff Jones).**

3. *Signature.*

a. Each electronically filed document shall be deemed to have been signed by the attorney or party represented by an attorney authorizing such filing and shall bear a facsimile or typographical signature of such person, e.g. “/s/Adam Attorney”. Each document e-Filed by an attorney shall also include the typed name, address, and telephone number of the attorney or unrepresented party filing such document. Attorneys shall include their Pennsylvania bar number. Each electronically filed declaration and affidavit shall be deemed to have been signed by the declarant or affiant if an attorney or party not represented by an attorney has authorized such filing. Docu-



ments containing signatures of third-parties (i.e., unopposed motions, affidavits, stipulations, etc.) may also be filed electronically by indicating in the original signatures are maintained by the filing party in paper format.

b. The electronic filing of a legal paper constitutes a certification by the filing party that the original hard copy was properly signed and, where applicable, verified; and a certification as provided by the signature to a legal paper under Pa.R.C.P. [ 1023(b) ] 1023.1(c), the violation of which shall be subject to the sanction provided in Pa.R.C.P. [ 1023(c) ] 1023.1(d). The filing party shall maintain the original hard copy of the document filed for two years after the later of: the disposition of the case; the entry of an order resolving the issue raised by the legal paper; or the disposition by an appellate court of the issue raised by the legal paper. [ Any other party at any time may require the filing party to file the original hard copy by filing with the Prothonotary and serving upon the filing party a notice to file the original hard copy with the Prothonotary within fourteen days of the filing of the notice ] Any other party at any time may serve upon the filing party a notice to produce for inspection the signed hard copy within fourteen days of the service of the notice. The court upon motion may grant appropriate sanctions for failure to produce the signed hard copy pursuant to the notice.

#### [ 4. Filing Related Documents.

a. Pleadings seeking judicial action such as Proposed Orders shall be filed separately.

b. Documents may be filed in electronic form, except that paper copies of any legal paper required by court rule or statute to be in paper form shall also be filed in the form required. In the case of original process filed to commence an action, the filing party shall provide a sufficient number of paper copies of an electronically filed document in order to permit service by the Sheriff. ]

#### C. Public Access to the Docket.

1. [ The Prothonotary shall make a Public Access Terminal available to the general public to allow access to the Court's electronic case record in all eFiled cases. Copies made from the Court's electronic case records system shall be printed by the Prothonotary and copying fees will be charged in accordance with the Prothonotary's usual fee schedule ] Public Access to the Prothonotary's docket is available on the Internet at [www.co.lancaster.pa.us/155/Prothonotary](http://www.co.lancaster.pa.us/155/Prothonotary).

2. The Prothonotary shall make a Public Access Terminal available to the general public to allow access to the Court's electronic case record in all E-Filed cases.

#### D. Filing Fees.

1. [ Filing fees will be billed by File and Serve Express using the billing arrangements established through the File and Serve Express registration process ] All filing fees and payments shall be made at the time of filing with an authorized credit card through the CountySuite Portal. Authorized cards shall include Visa, MasterCard, American Express and Discover. Filing fees and payments may not be deposited in advance with the Prothonotary.

2. [ Filing fees billed by File and Serve Express shall include Prothonotary's statutory filing fees ] Filing fees billed by CountySuite Portal shall include the Prothonotary's statutory filing fees.

3. The Prothonotary is authorized to charge a convenience fee for E-Filing as set forth in the Prothonotary's fee schedule.

#### E. Sealed Documents.

1. Documents intended to be filed under seal shall be designated by the filing party as "sealed" in the [ e-File system ] CountySuite Portal. However, designation of documents as "sealed" does not seal the document. The filing party must submit a proper request for sealing documents in addition to making the designation in the CountySuite Portal.

2. The filing details and document title will appear in the e-File system. The document can be viewed only by the Court, the Prothonotary staff, [ the filer, and those case participants who received service of that particular document. A party that was not served with the document can see only the document title in the case details, however, that party is not able to open or view the document ] and case participants.

#### F. Time of E-Filing [ and eService ].

[ 1. Any document filed electronically by 11:59 p.m. ET shall be considered eFiled with the court once the transmission is successfully completed ("authorized date and time") as recorded on the File and Serve Express System.

2. Delivery of e-service documents through File and Serve to other registered users shall be considered as valid and effective service and shall have the same legal effect as an original paper document. Recipients of e-service documents shall access their documents through the File and Serve system.

3. For the purpose of computing time to respond to documents received via e-service, any document served on a day or at a time when the court is not open for business shall be deemed served at the time of next opening of the court for business.

4. Parties who register to use File and Serve Express consent to receive e-service documents, other than service of subpoenas or summons. ]

1. The CountySuite Portal shall provide to the filer, using the email addressed registered by the filer, a courtesy email acknowledging that the E-filing was received. An official notification will be displayed in the CountySuite Portal, which includes the time and date, as a pending filing awaiting approval by the Prothonotary. The Prothonotary shall provide the filer with notification through the CountySuite Portal that the legal paper has been either accepted or rejected.

2. If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the CountySuite Portal; however, if a legal paper is submitted without the requisite filing fee, the legal paper shall be deemed to have been accepted for filing as of the date payment is received pursuant to 42 P.S. Section 21073(b). The Prothonotary may maintain an electronic file only and no paper file, with approval from the Court.

(Comment: As required by Pa.R.Civ.P. No. 205.4(c)(1) access to the CountySuite Portal shall be available at all times, except for routine maintenance; however, legal documents can only be reviewed by Prothonotary staff during normal office hours. Therefore, filers are cautioned to file required legal papers well in advance of any filing deadlines to enable timely correction and resubmission in the event a legal paper is not acceptable for filing.)

G. [ **Obligation of Registered eFile Users to Maintain Proper Delivery Information** ] **Service of Legal Papers.**

[ **Parties or attorneys who register to use the File & Serve system shall notify File and Serve Express within ten (10) days of any change in firm name, delivery address, fax number or e-mail address.** ]

Once an E-Filing has been accepted by the Prothonotary it shall be the responsibility of the filing party to provide to the sheriff the proper service fee and documents for original service and writs. The CountySuite Portal does not include legal service.

H. *Obligation of registered E-File Users to Maintain Proper Delivery Information.*

Parties or attorneys who register to use the CountySuite Portal system shall notify CountySuite Portal within ten days of any change in firm name, delivery address, fax number or e-mail address.

[Pa.B. Doc. No. 23-1319. Filed for public inspection September 29, 2023, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### MONTGOMERY COUNTY

**Amendments to Local Rules of Civil Procedure No. \*200, 206.1(a), 206.4(c), 208.3(b), \*920 and 4019\*; No. 2023-00001**

#### Order

And Now, this 12th day of September, 2023, the Court hereby Amends Montgomery County Local Rules of Civil Procedure No. \*200, 206.1(a), 206.4(c), 208.3(b), \*920 and 4019\*. These Amended Rules shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

CAROLYN TORNETTA CARLUCCIO,  
President Judge

Bolded and bracketed material is removed.

Bolded and underlined material is added.

#### Rule \*200. Trial Readiness.

(1) thru (8) \* \* \*

Comments:

1. \* \* \*

2. \* \* \*

3. \* \* \*

4. \* \* \*

5. See Local Rule [ **208.3(b)(2)** ] **4019\*.2(2)** for the time limit on filing any motion to compel discovery.

#### Rule 206.1(a). Petition. Definition.

The following applications are defined as “petitions”, and are to be governed by Rule 206.1, et seq:

(1) [ **Request** ] **an application** to transfer venue on the ground of forum non conveniens.

**(2) an application to strike and/or open a judgment by confession.**

*Comment:* The following applications are not governed by Rule 206.1, et seq., or by Rule 208.1, et seq., but rather are governed by the provisions of the general rule(s) governing the particular matter: Request to Appoint Trustee or Receiver pursuant to Pa.R.C.P. 1533; Petition to Compromise, Settle or Discontinue Minor's Action pursuant to Pa.R.C.P. 2039 and Local Rule 2039(a)\*; Petition for Supplementary Relief in Aid of Execution pursuant to Pa.R.C.P. 3118; Petition to Fix Fair Market Value of Real Property Sold pursuant to Pa.R.C.P. 3282; Petition for Appointment of Viewers pursuant to 26 Pa.C.S. § 502; Petition to Post Bond in Land Use Appeals pursuant to 53 P.S. § 11003-A; [ **Petition to Intervene pursuant to Pa.R.C.P. 2328** ] Petition for Change of Name pursuant to 54 Pa.C.S.A. § 701 et seq.

#### Rule 206.4(c). Issuance of a Rule to Show Cause.

[ Rescinded. ]

#### Rule 206.4(c). Issuance of a Rule to Show Cause.

**(1) Issuance. A Rule to Show Cause for petitions governed by Rule 206.1, et seq., shall issue as a matter of course pursuant to Rule 206.6. Petitions governed by this Rule shall be filed along with:**

**(a) a cover sheet in the form set forth in Local Rule 205.2(b),**

**(b) a brief or memorandum of law, as set forth in Local Rule 210,**

**(c) a proposed order in the following form:**

See Form Proposed Order

**(d) a proposed order granting the relief requested by the petition.**

**The petition and proposed orders shall be filed in the Prothonotary's Office, and forwarded to the Court Administrator, who shall have the authority to sign the Rule to Show Cause Order.**

**If a petitioner requests a stay of proceedings pending disposition of a petition, the Court Admin-**

istrator shall promptly refer the stay request to the Civil Equity/Emergency Judge for review and determination.

(2) *Response.* Within the time stated in the Rule to Show Cause, the respondent shall file an answer to the petition. The answer shall be filed along with:

(a) a cover sheet in the form set forth in Local Rule 205.2(b),

(b) a brief or memorandum of law, as set forth in Local Rule 210, and

(c) a proposed order.

(3) *Discovery.* Any depositions or other discovery on factual issues raised by the petition and answer shall be concluded within forty-five (45) days from the date of the Rule to Show Cause Order. Any supplemental briefs addressing facts elicited through such discovery shall be filed within sixty (60) days from the date of the Rule to Show Cause Order.

See Form Argument Praecipe

(4) *Argument Praecipe.* If the petitioner and respondent agree that no discovery on the petition is required or that all such discovery and supplemental briefing have been completed, then either party may file an Argument Praecipe in the following form:

(5) *Disposition.* If the respondent fails to file a timely answer, then the matter shall be immediately referred to a Judge, who will consider the petition on its merits and enter an appropriate order in accordance with Rule 206.7(a). If a timely answer is filed, then the matter shall be referred to a Judge for disposition (a) upon the filing of an Argument Praecipe or (b) after sixty (60) days from the date of the Rule to Show Cause Order, if no Argument Praecipe has been filed. Oral argument shall be held only if ordered by the Judge.

*Comments:*

1. The forms referenced in this rule are available online at [www.montgomerycountypa.gov/945/forms](http://www.montgomerycountypa.gov/945/forms).

2. The term "Argument Praecipe" has been retained as one familiar to the Bar, even though the holding of oral argument is discretionary.

Rule 208.3(b). Motion Practice. Rule to Show Cause. Disposition of Motions.

[ Rescinded. ]

Rule 208.3(b). Motion Practice. Rule to Show Cause. Disposition of Motions.

(1) *Filing.* All other "motions" as defined by Rule 208.1, excepting those listed above in Local Rule 208.3(a), shall be governed by this Rule. All such motions shall be faced with a cover sheet of the moving party in the form set forth in Local Rule 205.2(b) and shall be accompanied by the moving party's proposed order and, unless the legal basis for the motion is adequately set forth in the motion itself, a brief or memorandum of law.

(2) *Listing.* Excepting motions for sanctions or contempt of a prior court order and other motions that are to be scheduled for a hearing or that are to

be forwarded to a Judge upon filing, the Court Administrator shall fix promptly a return day which shall not be less than twenty (20) days from the date of filing of said motion, and the moving party shall forthwith serve the respondent with a copy of the motion and the cover sheet indicating the return day thereon. Except as the Court may otherwise direct, motions in limine and other pre-trial motions that are filed after a Pretrial Conference has been held or after a case has been listed for trial will not be given a return day and will be referred to the Judge who conducted the Pretrial Conference or, if a different Judge has been assigned the case for trial, to that Judge.

(3) *Motions to Withdraw as Counsel.* If the motion seeks leave of the Court to withdraw as counsel, then the movant must forthwith serve his or her client with a copy of the motion and cover sheet indicating the return day and shall promptly file a certification that the motion and the rule return date were served upon the client, in substantially the following form:

See Form Certificate of Service

If such a certificate is not filed prior to the return date, then the motion shall be stricken without prejudice.

(4) *Emergency Motions.* Motions that are alleged to be "emergencies" will not initially be given a rule return date, but rather the Court Administrator will forward the emergency motion to the appropriate Judge. If the matter is deemed to be an emergency by the Judge, the Judge will process the matter accordingly. If the matter is not deemed to be an emergency, the matter will be returned to the Court Administrator for listing pursuant to this Rule.

(5) *Response.* On or before the return day, the respondent shall file an answer to the motion, even if there are no contested issues of fact. The answer shall be faced with the respondent's cover sheet in the form set forth in Rule 205.2(b) and shall be accompanied by a brief or memorandum of law as set forth in Local Rule 210 and a proposed order. All motions in which answers have been filed will be referred to the appropriate Judge for disposition. Oral argument will be held only if ordered by the Court.

(6) *Unopposed Motions.* If an answer is not filed to the motion on or before the return day, the Court may treat the motion as uncontested, and grant the requested relief, if appropriate.

(7) *Discovery.* The Court may order, either pursuant to a request in the motion or answer or on the Court's own initiative, that discovery be taken on issues of fact raised by the motion and answer. The Court may provide for the filing of supplemental briefs after the conclusion of such discovery.

*Comments:*

1. See Local Rule 4019\*2 for additional provisions relating to discovery motions.

2. Rule 208.1(b)(1)(iv) specifically excludes motions to exclude expert testimony pursuant to Rule 207.1 and motions in limine from the above process.

These motions are filed with the Prothonotary and referred to the trial judge, upon assignment of trial.

3. Requests for leave to withdraw an appearance in family court actions pursuant to Rule 1012 and requests under Local Rule 229(a)\*(1) are considered "motions" that are subject to this Rule.

4. Motions relating to discovery in family law actions—excluded from the above process by Rule 208.1(b)(2)(iv)—are governed by Local Rule 4019\*.1—Family Discovery Hearing Officer.

Rule \*920. Board of Assessment Appeals.

[ Rescinded. ]

Rule \*920. Board of Assessment Appeals.

(a) The Pennsylvania Rules of Civil Procedure shall be applicable to all appeals to the Court of Common Pleas from a real estate assessment or other appealable decision by the Board of Assessment Appeals ("the Board"). Nothing in this rule shall be construed to limit discovery as permitted under the Pennsylvania Rules of Civil Procedure.

(b) The petition for appeal shall have the parcel number(s) of the subject property in the caption and shall have attached to it a photocopy of the appealed from order of the said Board and shall have attached to it a proposed preliminary decree which shall provide:

(1) that the appeal to Court is permitted and said case is to proceed in conformity with the Pennsylvania Rules of Civil Procedure;

(2) that within five (5) days from the date of the preliminary decree, appellant shall serve a copy of the petition and preliminary decree upon the said Board, upon the Board of County Commissioners of Montgomery County, the governing body of the municipality and the Board of School Directors of the school district in which the real estate is situated and their Solicitors, and upon the property owner, if the property owner is not the appellant;

(3) that the taxing authorities of the aforesaid and the property owner, if the property owner is not the appellant, be and are hereby entitled to intervene as parties appellee.

(c) Appellant, within sixty (60) days of filing the appeal, shall provide to appellee and intervening parties a copy of appellant's appraisal report (which need not be the trial report) with copies of income and expense statements and rent rolls (if applicable) for the last three (3) years. In cases where a taxing authority is the appellant, the appraisal report must be provided to appellee and intervening parties within sixty (60) days of appellant's receipt of discovery requested of the taxpayer, including but not limited to inspection of the subject property provided that the taxing authorities forwarded their discovery requests to the taxpayer within thirty (30) days of filing their appeal. Where exemption is the sole issue, this paragraph is not applicable.

(d) Approximately sixty (60) days after the filing of the appeal, the Court Administrator shall issue a Case Management Order setting a deadline of approximately twelve (12) months from commencement for the close of discovery, including exchanges of appraisal reports by testifying experts, and a deadline of approximately thirteen (13)

months from commencement for the filing of dispositive motions. The Order shall provide that the action shall be added to the Court's Civil Trial Inventory promptly after the deadline for filing dispositive motions if no timely dispositive motion is filed or promptly after the determination of all timely filed dispositive motions. Parties may obtain an earlier listing for trial by filing a praecipe under Local Rule 212.1\*(d).

(e) Prior to the issuance of a Case Management Order, the parties may file a Stipulation, subject to approval of the Court, for entry of a Case Management Order that sets deadlines earlier than the standard Order that would issue under paragraph (d) above. After the issuance of a Case Management Order, the parties may file a Stipulation, subject to approval of the Court, that advances any or all of the deadlines in the Case Management Order to earlier dates. A Stipulation that purports to extend any deadlines in a Case Management Order shall not be filed and, if filed, shall be of no force or effect.

(f) *Special Management Cases.*

(1) If an appeal is unusually complex or presents circumstances that would make it impractical to comply with the standard deadlines, any party may file a Motion to Designate Case for Special Management. Such Motions are not favored and will be granted only upon a compelling showing of need. Circumstances that may support such a Motion include, but are not limited to, an unusually large number of parties; the need for an unusually broad or complex scope of discovery that cannot be completed by the standard deadline; complex legal issues that require specially phased discovery; and the need to stay a case pending the outcome of a related case. The Motion should be filed as soon as it becomes apparent that special management is required and need not await the issuance of a standard Case Management Order. Undue delay in filing a Motion may be grounds in itself for denial of the Motion.

(2) Any other party may file a response within fifteen (15) days of the filing of the Motion.

(3) If the Motion is granted, the case shall be referred to a Civil Case Management Hearing Officer, who shall promptly convene a conference with counsel and thereafter submit to the Court a recommendation on a Case Management Order tailored to the particular needs of the case. Upon reviewing the recommendation, the Court will then issue a Case Management Order, which will supersede any standard Case Management Order previously issued by the Court Administrator.

(g) Any extension of a deadline set forth in a Case Management Order under this Rule (or an Order under Local Rule 212.1\*(d)(4)) may be obtained only through a Motion for Extraordinary Relief. The Motion shall set forth the reasons for the requested relief and the reasons that the current deadlines cannot be met despite diligent effort. Any party opposing the Motion shall have fifteen (15) days in which to respond, after which time the Court will enter an appropriate order.

(h) For purposes of transition to the current version of this Rule, the Court Administrator shall issue Case Management Orders as appropriate for

cases pending when the current version of this Rule becomes effective. Nothing in this Rule shall affect any Case Management Order in effect as of the effective date of the current version of this Rule.

**Rule 4019\*. Discovery Hearing Officer.**

[ Rescinded. ]

**Rule 4019\*.2. Discovery Motions.**

In order to facilitate the prompt disposition of discovery motions, the Court adopts Local Rule of Civil Procedure 4019\*.2 as follows:

(1) All motions relating to discovery, originally processed under Local Rule 208.3(b), other than a motion for sanctions, shall be subject to this Rule.

(2) A motion to compel discovery may not be filed more than ten (10) days after any deadline for completion of discovery established by prior Order of the Court. The moving party must indicate on its Cover Sheet the date of such deadline. If the motion is filed before the establishment of such a deadline, the date should be stated as "N/A." If a motion is filed in violation of this paragraph, then the Court Administrator shall not fix a return day under Local Rule 208.3(b), and instead the motion shall be stricken as a matter of course as untimely.

(3) The Board of Judges shall appoint a designated number of members of the Bar to serve as Civil Discovery Hearing Officers, for an indeterminate term, without compensation, at the pleasure of the Court.

(4) If the discovery motion is resolved amicably prior to the return day issued pursuant to Local Rule 208.3(b), the motion shall either be withdrawn or a stipulated order shall be submitted to the Court Administrator for submission to the signing Judge. If the motion is opposed, the Court Administrator shall refer it to a Hearing Officer.

(5) After hearing argument (unless the Hearing Officer determines that oral argument is unnecessary) and considering the motion, answer, and any briefs filed, the Hearing Officer shall submit a written recommendation and proposed order to the assigned Judge for entry of an appropriate order.

[Pa.B. Doc. No. 23-1320. Filed for public inspection September 29, 2023, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### NORTHAMPTON COUNTY

**Administrative Order 2023-17; Amending Local Rule N1302. Selection and Compensation of Arbitrators; No.: C-48-CV-2023-07187**

#### Administrative Order

And Now, this 18th day of September, 2023, it is Ordered and Decreed that Northampton County Rule of Civil Procedure N1302 is hereby Amended, with the amended rule as follows hereto.

It is further Directed that the Court Administrator of Northampton County shall comply with all publishing requirements set forth in Pa.R.J.A. 103(d)(5)-(6), such as: distributing two (2) certified copies of this Order to the

Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; filing one (1) certified copy of the Order with the Administrative Office of Pennsylvania Courts; publishing a copy of this Order on the Court's website; and incorporating these procedures into the complete set of Northampton County Local Rules no later than thirty (30) days following publication in the *Pennsylvania Bulletin*.

These amendments shall become effective Monday, October 30, 2023, thirty (30) days from when publication in the *Pennsylvania Bulletin* occurs.

By the Court

CRAIG A. DALLY,  
President Judge

**Rule N1302. Selection and Compensation of Arbitrators.**

a) The Court Administrator or Deputy Court Administrator shall maintain a list of potential arbitrators and shall select three arbitrators for each action. One of these three arbitrators shall be designated as the chairperson.

1) To qualify as a chairperson, an arbitrator must have been a member of the bar of this Court for at least five years.

2) Attorneys who wish to serve as an arbitrator shall inform the Court administrator.

b) If an attorney seeks to be replaced as an arbitrator in a hearing after the attorney was selected by the Court Administrator or Deputy Court Administrator, the attorney shall notify the Court Administrator in writing at least forty-eight hours before the scheduled arbitration hearing.

1) If an attorney fails to provide this notice and fails to serve as an arbitrator during their assigned hearing, the attorney's name will be removed from the list of potential arbitrators.

2) Once removed from the list, an attorney must notify the President Judge in writing that the attorney is available as an arbitrator if the attorney seeks to remain on the list.

c) When the Court Administrator or Deputy Court Administrator appoints an attorney for an arbitration action, the Court Administrator shall send to each attorney of record and to each appointed arbitrator a copy of the notice of appointment by first-class mail or email. If any party to the action is unrepresented, the Court Administrator shall send the copy to the party directly by first-class mail or email.

d) The arbitrators' compensation shall be set forth in a fee schedule which will be maintained by the Court Administrator.

1) The current fee schedule provides that the chairperson shall be paid \$300 and the two arbitrators shall each be paid \$250.

2) If an award is entered by the arbitrators pursuant to an agreed upon settlement of the parties before the hearing, each member of the Board shall receive as compensation an amount set forth by the fee schedule.

3) If more than one hearing is necessary, the chairperson may petition the Court for additional compensation for the chairperson and for the arbitrators.

[Pa.B. Doc. No. 23-1321. Filed for public inspection September 29, 2023, 9:00 a.m.]

**DISCIPLINARY BOARD  
OF THE SUPREME COURT****Notice of Suspension**

By Order of the Supreme Court of Pennsylvania dated September 14, 2023, Delphine Lara Farr, a/k/a Delphine Lara Janey (# 204732), whose registered address is in Lyons, CO, is suspended from the practice of law in this

Commonwealth for a period of six months, effective October 14, 2023. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 23-1322. Filed for public inspection September 29, 2023, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 52—PUBLIC UTILITIES

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 69 ]

[M-2023-3038267]

#### Diversity Policy Statement Revision of 52 Pa. Code §§ 69.801—69.809

Public Meeting held  
August 3, 2023

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

*Diversity Policy Statement Revision of 52 Pa. Code  
§§ 69.801—69.809; M-2023-3038267*

#### Proposed Diversity Policy Statement

*By the Commission:*

The Pennsylvania Public Utility Commission (PUC) proposes to amend further its Diversity Policy Statement which was previously amended in 2020 at 52 Pa. Code §§ 69.801—69.809. Amended Policy Statement on Diversity at Major Jurisdictional Utility Companies, Docket No. M-2020-3018089 (order entered 12/3/20) 51 Pa.B. 435 (1/23/21). Since amending the Policy Statement in 2020, the Commission has promulgated Diversity Reporting Regulations at Chapter 51. See Diversity Reporting of Major Jurisdictional Utilities, Docket No. L-2020-3017284 (order entered 6/16/22), 52 Pa.B. 5934 (9/17/22). On September 17, 2022, the PUC's Diversity Reporting Regulations, 52 Pa. Code §§ 51.11—51.13,<sup>1</sup> became effective. With the addition of the Diversity Reporting Regulations, it is now necessary for the Commission to amend its Diversity Policy Statement for consistency.

#### Background

The PUC has had a Diversity Policy Statement since 1995. See Policy Statement re Diversity at Major Jurisdictional Utility Companies, Docket No. M-00940557 (Order entered 2/9/1995), 25 Pa.B. 1084 (3/25/1995). The PUC's Diversity Policy Statement at Section 69.801 (relating to General) encourages major jurisdictional utility companies to, "incorporate diversity in their business strategy in connection with the procurement of good and services." 52 Pa. Code § 69.801.

On February 6, 2020, Chairman Brown-Dutrieuille made a motion for the PUC to update its Diversity Policy Statement. Chairman Brown-Dutrieuille stated:

On March 24, 1995, the Commission adopted its Statement of Policy on Diversity at Major Jurisdictional Utility Companies, 52 Pa. Code §§ 69.801—69.809 (Policy Statement). When proposed by Commissioner Lisa Crutchfield, these guidelines were seen as, and were in fact, groundbreaking and progressive for that time. However, twenty-five (25) years later brings us into a new century and, I believe, a timely opportunity to reinvigorate the

<sup>1</sup> Diversity Reporting of Major Jurisdictional Utilities, Docket No. L-2020-3017284 (Order entered on April 14, 2022; Order on Reconsideration entered on June 16, 2022, 52 Pa.B. 5934 (Sept. 17, 2022)) (Final Rulemaking Order). The Diversity Reporting Regulation (Chapter 51) became effective upon publication in the *Pennsylvania Bulletin* at 52 Pa.B. 5934 (9/17/2022).

Commission's efforts to promote and implement effective diversity programs at our major jurisdictional utility companies.

Pennsylvania is a diverse state when it comes to energy production, natural resources, manufacturing, agriculture, and last, but not least, the citizens of the Commonwealth. Our jurisdictional public utilities should draw on the strengths provided by the diverse citizens of this state, whom I might add are also utility customers. As such, jurisdictional utilities should continue to develop and implement company-wide diversity programs for employment and contracting of goods and services. These programs should focus on how to maintain or increase the numbers of qualified minority, women, disabled, LGBTQ, and veteran employees, vendors, and service providers. The Commission launched a utility careers campaign in the Fall of 2017 to address the looming problem of increased utility workforce retirements. Properly structured, diversity programs can successfully leverage untapped talent pools to help fill these critical jobs. Furthermore, as regulated monopolies, our jurisdictional utilities have unique beneficial community relationships which I believe diversity programs have the power to strengthen.

Chairman Gladys Brown-Dutrieuille Motion, Docket No. L-2020-3017284 at 1 (2/6/20).

In the 2020 revision to the Diversity Policy Statement, the PUC acknowledged that the terms and definitions in Section 69.802 needed to be updated in order to reflect the Commonwealth's diverse citizenship. Specifically, we added the following definitions to Section 69.802: disabled person, LGBTQ, and veteran. We defined "LGBTQ" as it is currently defined in *Black's Law Dictionary* 11th Edition. We enumerated the demographic of "veteran" and adopted the definition from 51 Pa.C.S. § 9601 which defined "veteran" in the context of business ownership. We noted that the term "disabled person" was not previously defined even though it was used throughout the existing Policy Statement. To remedy this, we adopted the Americans with Disabilities Act's (ADA), 42 U.S.C.A. § 12102, definition and cited directly to the ADA in order for the definition of "disabled person" to stay current in the future.

We also updated the definition of "diversity" by explicitly identifying the following groups: minorities, women, persons with disabilities, LGBTQ, and veterans. Additionally, we amended the definition of "Minority-Owned Business Enterprise" by specifically including Subcontinent Asian-Americans and Asian Pacific-Americans in the list of minority groups.

The 2020 Diversity Policy Statement also focused on encouraging a uniform method of reporting diversity employment and vendor data. We noted that PUC staff found the detail and type of information reported in the major jurisdictional utility companies' diversity reports to be inconsistent. Accordingly, we revised the recommended reporting elements in Section 69.809 in their entirety. The 2020 Diversity Policy Statement revised Section 69.809 to request the following elements from major jurisdictional utility companies:

(1) A copy of any corporate policy committed to improving diversity in the workplace and in the procurement process;

(2) a description of any training implemented on diversity initiatives in employment and in the contract of goods and services;

(3) a standardized format to account for diverse employee numbers;

(4) a description of any diversity recruiting strategies;

(5) a description of any diversity promotion efforts;

(6) a description of any diversity retention efforts;

(7) a brief description of any involvement with organizations promoting diversity.

In addition to these recommended reporting elements, the PUC also implemented a standardized form that the major jurisdictional utilities could use in reporting their diverse workforce demographics. The form was modeled after the Security and Exchange Commission's Diversity Assessment Report for Entities Regulated by the SEC.<sup>2</sup>

Further, the PUC updated Section 69.809 to remove outdated references. The PUC no longer has a Bureau of Public Liaison so major jurisdictional utilities were instructed to submit their reports to the Secretary of the PUC. Additionally, as the Policy Statement has been in effect since 1995, the initial reporting year was no longer necessary, so it was removed.

Following the PUC's 2020 revisions to the Diversity Policy Statement, the PUC promulgated Diversity Reporting Regulations in 2022. See Diversity Reporting of Major Jurisdictional Utilities, Docket No. L-2020-3017284 (Order entered 6/16/22), 52 Pa.B. 5934 (9/17/22). This regulation built on the PUC's existing Diversity Policy Statement. The guidelines and recommendations in the PUC's policy statement at 52 Pa. Code §§ 69.801—69.809 set forth the goal of maintaining a diverse workforce and supply chain and included recommendations for the voluntary filing of diversity information by major jurisdictional utilities.

The PUC's diversity reporting became mandatory for major jurisdictional utilities providing electric, natural gas, water and wastewater services. This new obligation was codified in 52 Pa. Code Chapter 51. This entailed promulgating within the Diversity Reporting regulation the following: (1) regulatory definitions that were recently modified in Sections 69.802 and 69.802a and (2) filing obligations that the filing recommendations had recently modified in Section 69.809. 52 Pa. Code §§ 69.802, 69.802a and 69.809. It also required mandating the use of a specific form, as may be modified from time to time by the PUC, for reporting workforce diversity.

#### *Rationale for Amending the Diversity Policy Statement*

The Diversity Reporting Regulation requires major jurisdictional public utilities providing electric, natural gas, water and wastewater services to report their diversity efforts. 52 Pa. Code §§ 51.11—51.13. The major amendment contained in these newly promulgated PUC regulations is that these major jurisdictional utilities are now required to report on their diversity efforts; reporting diversity efforts is no longer dependent on major jurisdictional utilities complying with a recommendation in a policy statement.

However, while major telecommunications utilities are exempt from the definition of a "major jurisdictional utility" as that term is used in the Diversity Reporting

Regulations, we now expressly address major telecommunications utilities in the proposed Diversity Policy Statement to make it clear that major telecommunications utilities are still encouraged to comply with the diversity objectives in this Policy Statement and that they are encouraged to report their diversity efforts consistent with the Policy Statement. Additionally, we are updating sections of the Diversity Policy Statement as described below.

Diversity is an economic reality that public utilities should include in their corporate strategies now and in the future and they should associate diversity with their business objectives and strategies. As such, the PUC will continue to recommend that the major jurisdictional utilities providing electric, natural gas, water and wastewater services and major telecommunications utilities operating in this Commonwealth incorporate diversity in their business strategy in connection with their employment practices and in the procurement of goods and services. 52 Pa. Code § 69.801 (relating to general).

The PUC retains its Diversity Policy Statement alongside Chapter 51 as the provisions in the Diversity Policy Statement are still relevant to major jurisdictional utilities and major telecommunications utilities. Essentially, the Diversity Policy Statement encourages the major jurisdictional utilities and major telecommunications utilities to foster diversity among their respective workforces, and Chapter 51 requires major jurisdictional utilities to report on their respective diversity programs. With respect to the procurement of goods and services, we note that the Policy Statement references minority/women/persons with disabilities/LGBTQ/veteran-owned businesses throughout. Section 69.804 expressly addresses major jurisdictional utilities contracting with minority/women/persons with disabilities/LGBTQ/veteran-owned businesses. 52 Pa. Code § 69.804. Regarding subcontracting, the Policy Statement encourages major jurisdictional utilities to establish and maintain a subcontracting program for its prime contractors to utilize minority/women/persons with disabilities/LGBTQ/veteran-owned business subcontractors. 52 Pa. Code. § 69.807. Major jurisdictional utilities are further directed in Chapter 51 to report their diversity efforts with respect to their procurement process and contracts for goods and services. See 52 Pa. Code § 51.13.

Accordingly, the PUC still needs a Diversity Policy Statement in conjunction with Chapter 51.

#### *Discussion of Proposed Changes in the Diversity Policy Statement*

The PUC proposes the following amendments to the Diversity Policy Statement as set forth in Annex A to this Order.

##### *§ 69.801. General.*

The Diversity Policy Statement makes recommendations applicable to all "major jurisdictional utilities" which included major telecommunications utilities. The Diversity Reporting Regulation now defines "major jurisdictional utility" as an "electric, natural gas, water or wastewater utility whose net plant in service is valued at \$10 million or more." 52 Pa. Code § 51.12 (relating to definitions). Thus, telecommunications utilities<sup>3</sup> are not

<sup>2</sup> The Commission modeled the Demographic Composition of Workforce of Major Jurisdictional Utility Companies Form after the SEC's Diversity Assessment Report for Entities Regulated by the SEC. Accessed at <https://www.sec.gov/files/OWMI-DAR-FORM.pdf> on June 22, 2023.

<sup>3</sup> As we noted in our Final Rulemaking Order, the Commission did not include major telecommunications utilities in the definition of a "major jurisdictional utility," and, thus, major telecommunications utilities are not required to file diversity reports under Section 51.13. 52 Pa. Code § 51.13. Section 3015(f) of the Public Utility Code requires the Commission to establish that the benefits of requiring new reports from telecommunications utilities substantially outweigh the attendant expenses to prepare it. Final Rulemaking Order, citing 66 Pa.C.S. § 3015(f) (relating to alternative forms of regulation).



subject to the Diversity Reporting Regulation and are not required to file the annual diversity reports. The Diversity Reporting Regulation does not exempt major telecommunications utilities from the Diversity Policy Statement. The Diversity Policy Statement will, therefore, be amended to reflect that the Diversity Policy Statement recommendations, applicable to major jurisdictional utilities, are also still applicable to major telecommunications utilities as has been the PUC's policy since 1995.

*Proposed Change:* The Diversity Policy Statement will be amended to expressly note that we recommend that "major telecommunications utilities," in conjunction with "major jurisdictional utilities," associate diversity with their business strategy in connection with procurement of goods and services. Further, the Diversity Policy Statement will be amended to encourage major telecommunications utilities to file diversity reports using the format in Section 69.809 (relating to filings) of these regulations.

§ 69.802. *Definitions for reporting employee statistics.*

The PUC proposes renaming this section to simply "Definitions" and delete "for reporting employee statistics" since there will only be one set of definitions for the Diversity Policy Statement going forward. As we noted in our Final Rulemaking Order, several terms in the Diversity Reporting Regulation are also defined in the Diversity Policy Statement. See Diversity Reporting of Major Jurisdictional Utilities, Docket No. L-2020-3017284 at 12–14, 52 Pa.B. 5934 at 5938, and 52 Pa. Code § 51.12. Accordingly, the PUC proposes deleting the terms in Section 69.802 that are now defined in Section 51.12. See 52 Pa. Code §§ 69.802 and 51.12, respectively. The terms to be deleted are "Black or African Americans," "Asian (not Hispanic or Latino)," "Diversity," "Hispanic or Latino," "LGBTQ—Lesbian, gay, bisexual, transgender, queer and questioning" "major jurisdictional utility company," "Native American or Alaska Native (not Hispanic or Latino)," "Native Hawaiian or Pacific Islander (not Hispanic or Latino)," "person with disabilities," "two or more races (not Hispanic or Latino)," "White (not Hispanic or Latino)," and "veteran." Further, we propose adding the explanation that the definitions in the Diversity Reporting Regulation are applicable to the Diversity Policy Statement.

Because we need to retain definitions for "control," "operate" and "subcontract" in the Diversity Policy Statement going forward, we also propose moving those terms from Section 69.802a (relating to definitions for reporting vendor statistics) to Section 69.802 since we propose deleting Section 69.802a in its entirety. The terms "control," "operate" and "subcontract" will retain their respective definitions as they presently appear in Section 69.802a.

We also add a new term "major telecommunications utility." The term "major telecommunications utility" must be added since this Diversity Policy Statement is intended to apply equally to telecommunications utilities despite not being subject to the diversity reporting requirement in Chapter 51. By defining "major telecommunications utility" in this Diversity Policy Statement it clearly establishes that telecommunications utilities with 50,000 or more access lines are considered major telecommunications utilities and are subject to the provisions in this Policy Statement. With this term defined we can fully reconcile the definitions in the Diversity Reporting Regulation in Chapter 51 as being applicable to this Policy Statement without excluding major telecommunica-

tions utilities from the Policy Statement. As "major jurisdictional utility" is now defined in Chapter 51, we do not reiterate the definition.

*Proposed change:* The name of Section 69.802 will be changed. The terms "Black or African Americans," "Asian (not Hispanic or Latino)," "Diversity," "Hispanic or Latino," "LGBTQ—Lesbian, gay, bisexual, transgender, queer and questioning" "major jurisdictional utility company," "Native American or Alaska Native (not Hispanic or Latino)," "Native Hawaiian or Pacific Islander (not Hispanic or Latino)," "person with disabilities," "two or more races (not Hispanic or Latino)," "White (not Hispanic or Latino)," and "veteran" will be deleted. We will add the explanation that terms defined in Section 51.12 have the same meaning when used in reference to the Diversity Policy Statement. The terms "control," "operate" and "subcontract" will be moved to Section 69.802, and they will retain their respective definitions as they presently appear in Section 69.802a.

§ 69.802a. *Definitions for reporting vendor statistics.*

As explained in greater detail in our discussion of Section 69.802, *supra*, we propose deleting Section 69.802a in its entirety because its terms either now appear in Section 51.12 or they will be moved to Section 69.802. 52 Pa. Code §§ 51.12 and 69.802, respectively. There is no longer a need to define the context in which these diversity terms are used which in turn obviates the need for a separate definition section.

*Proposed change:* Section 69.802a will be deleted in its entirety, consistent with the proposed change to Section 69.802.

§ 69.803. *Guidelines for diversity development.*

We propose to revise the term "major jurisdictional utility company" to now read "major jurisdictional utility" consistent with our use of this term in Chapter 51. See 52 Pa. Code § 51.12. The decision to exempt major telecommunications utilities from the Diversity Reporting Regulations does not mean that we have chosen to stop encouraging them to implement diversity programs. Because the major telecommunications utilities are no longer included in the definition of "major jurisdictional utility," we need to add language to indicate that we are continuing to encourage major telecommunications utilities to have diversity programs.

*Proposed change:* We will update the reference to "utility" rather than "utility company." We will note that we continue to encourage major telecommunications utilities to follow the guidelines in Section 69.803.

§ 69.804. *Contracting recommendations.*

We revise the term "major jurisdictional utility company" to now read "major jurisdictional utility" in light of our revision to this term in Chapter 51. See 52 Pa. Code § 51.12. Because of the change in the definition of "major jurisdictional utility," explained *supra*, we need to add language to indicate that the contracting recommendations also continue to apply to major telecommunications utilities.

*Proposed change:* We will update the reference to "utility" rather than "utility company." We will note that we continue to encourage major telecommunications utilities to follow the guidelines in Section 69.804.

§ 69.805. *Program development.*

We revise the term "major jurisdictional utility company" to now read "major jurisdictional utility" in light of our revision to this term in Chapter 51. See 52 Pa. Code

§ 51.12. Additionally, we add language to also indicate that we continue to encourage the major telecommunications utilities to have an appropriate executive accountable for providing overall direction and guidance to the minority/women/persons with disabilities/LGBTQ/veteran-owned business program.

*Proposed change:* We will update the reference to “utility” rather than “utility company.” We will note that major telecommunications utilities are encouraged to follow the guidelines in Section 69.805.

§ 69.806. *Minimum improvement levels.*

We revise the term “major jurisdictional utility company” to now read “major jurisdictional utility” in light of our revision to this term in Chapter 51. See 52 Pa. Code § 51.12. Additionally, we add language to indicate that we continue to encourage the major telecommunications utilities to annually set substantial and verifiable short-term, midterm and long-term plans for the utilization of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses.

*Proposed change:* We will update the reference to “utility” rather than “utility company.” We will note that major telecommunications utilities are encouraged to follow the guidelines in Section 69.806. We are also changing “case by case basis” to “case-by-case basis.”

§ 69.807. *Subcontracting program.*

We revise the term “major jurisdictional utility company” to now read “major jurisdictional utility” in light of our revision to this term in Chapter 51. See 52 Pa. Code § 51.12. Additionally, we add language to also indicate that we continue to encourage the major telecommunications utilities to establish and maintain a subcontracting program for its prime contractors to utilize minority/women/persons with disabilities/LGBTQ/veteran-owned business subcontractors. This section also contains a reference to “procurements of products and services in excluded categories” which is not a defined term. We propose amending this reference to simply “exempt procurement” which is a defined term in Section 51.12. 52 Pa. Code § 51.12 (relating to definitions). Finally, subsection 69.807(5) recommends submitting information which is already being addressed in Section 69.809. 52 Pa. Code § 69.809. As such, we propose removing this subsection entirely.

*Proposed change:* We will update the reference to “utility” rather than “utility company.” We will note that major telecommunications utilities are encouraged to follow the guidelines in Section 69.807. We will also amend the reference to “the procurements of products and services in excluded categories” to instead reference the term “exempt procurement” which is defined in Section 51.12. See 52 Pa. Code § 51.12 (relating to definitions). Finally, we remove subsection 69.807(5) in its entirety since the information recommended for submission is being recommended for submission in Section 69.809(a)(8). See 52 Pa. Code § 69.809(a)(8).

§ 69.808. *External outreach.*

We propose to revise the term “major jurisdictional utility company” to now read “major jurisdictional utility” in light of our revision to this term in Chapter 51. See 52 Pa. Code § 51.12 (Major jurisdictional utility). Additionally, we propose to add language to also indicate that the major telecommunications utilities are also encouraged to implement an outreach program to inform, to recruit and to expand procurement activities to qualified and qualifiable businesses owned by minority/women/persons with disabilities/LGBTQ/veterans.

*Proposed change:* We will update the reference to “utility” rather than “utility company.” We will note that major telecommunications utilities are encouraged to follow the guidelines in Section 69.808.

§ 69.809. *Filings.*

We are proposing to change the title of Section 69.809 from “Filings” to “Major Telecommunications Utilities Filings.” While major telecommunications utilities are not subject to the Diversity Reporting Regulation, the PUC remains committed to encouraging major telecommunications utilities to adopt diversity programs and to submit diversity reports. The revision to Section 69.809 will expressly address “major telecommunications utilities” and will remove all references to “major jurisdictional utilities” to avoid any ambiguity with Chapter 51. We are encouraging major telecommunications utilities to use the reporting process in Chapter 51 if they choose to file the annual diversity reports to the Commission. We will also clarify what should be reported if information is otherwise unobtainable.

With respect to the filing of reports, we are also proposing to add additional subsections that address the confidential nature of the information and annual filing if a major telecommunications utility files such information. As we took measures in Chapter 51 to ensure the confidentiality of the information and filings submitted by major jurisdictional utilities providing electric, natural gas, water and wastewater services, likewise, we propose to encourage those measures here. See Diversity Reporting of Major Jurisdictional Utilities, Docket No. L-2020-3017284 at 23-24, 52 Pa.B. 5934 at 5941. We propose to recommend that annual reports should be filed confidentially in conformance with Section 1.32. 52 Pa. Code § 1.32 (relating to filing specifications). This recommendation is consistent with the reporting requirement for major jurisdictional utilities addressed in Section 51.13. See 52 Pa. Code § 51.13(c). We propose to also have a new subsection (d) added that recommends that information on persons with disabilities and LGBTQ status should be collected on a confidential and voluntary basis from major telecommunications utilities’ respective employees consistent with what we directed in Chapter 51. See 52 Pa. Code § 51.13(d). Finally, we will add subsection (e) which we propose to direct that the information a major telecommunications utility files with the PUC pursuant to this policy statement will be treated as confidential.

*Proposed change:* We will note that major telecommunications utilities are encouraged to continue to report their diversity efforts. We will add the language “as unobtainable” after “should be reported” in subsection (b). We will add a new subsection (c) that recommends that major telecommunications utilities file their annual reports confidentially in conformance with Section 1.32. 52 Pa. Code § 1.32. A new subsection (d) will be added recommending that the reporting of persons with disabilities and LGBTQ status should be confidential and voluntary on the part of the major telecommunications utility employee. Finally, a new subsection (e) will be added that directs that any information a major telecommunications utility submits pursuant to this policy statement shall be confidential.

*Conclusion*

We appreciate the input from the stakeholders in Docket No. L-2020-3017284. We strongly urge the major jurisdictional utilities and major telecommunications utilities to enhance their efforts to associate diversity with their business objectives and strategies. This Pro-

posed Diversity Policy Statement will be posted on the PUC's website and delivered to the Governor's Budget Office. Thereafter, it will be delivered to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. Comments will be due 45 days after publication in the *Pennsylvania Bulletin*; Therefore,

*It Is Ordered:*

1. That after entry of this Notice of Proposed Policy Statement, the Law Bureau will submit this Order and Annex A to the Governor's Budget Office for review for fiscal impact.

2. That the Law Bureau shall thereafter deposit this Order and Annex A with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

3. That comments referencing Docket M-2023-3038267 may be filed within 45 days of publication in the *Pennsylvania Bulletin*. Comments may be filed electronically through the Pennsylvania Public Utility Commission's eFiling System. Filing instructions may be found on the PUC's website at: [http://www.puc.pa.gov/filing\\_resources.aspx](http://www.puc.pa.gov/filing_resources.aspx). Alternatively, comments may be filed in writing: Attn: Secretary, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.

4. That the Secretary of the Pennsylvania Public Utility Commission shall post and make available electronically the Order and Annex A on the PUC's website. A copy may also be obtained by calling the Secretary's Bureau at 717-772-7777.

5. That the contact persons for this matter are Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, 717-787-5558, [jcardinale@pa.gov](mailto:jcardinale@pa.gov); and Rhonda L. Daviston, Assistant Counsel, Law Bureau, 717-787-6166, [rdaviston@pa.gov](mailto:rdaviston@pa.gov).

6. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Karen Thorne, Regulatory Review Assistant, Law Bureau, 717-772-4597, [kathorne@pa.gov](mailto:kathorne@pa.gov).

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: August 3, 2023

ORDER ENTERED: August 3, 2023

**Fiscal Note:** 57-343. No fiscal impact; recommends adoption.

#### Statement of Commissioner Kathryn L. Zerfuss

Before the Commission today are proposed amendments to our existing Diversity Policy Statement, 52 Pa. Code §§ 69.801—69.809. These proposed amendments ensure that the Policy Statement is consistent with our recent Diversity Reporting Regulations, 52 Pa. Code §§ 51.11—51.13.<sup>4</sup> I would like to thank Chairman Gladys Brown Dutrieuille for her leadership in updating the Diversity Policy Statement in 2020 and in finalizing the Diversity Reporting Regulations in 2022.

The Diversity Policy Statement also retains important, existing provisions that recommend major jurisdictional electric, natural gas, water and wastewater utilities and major telecommunications utilities incorporate diversity into their business strategies in relation to their employment practices and the procurement of goods and services.

<sup>4</sup> On April 14, 2022, the Commission voted to adopt regulations requiring regular reporting on diversity programs and efforts by major jurisdictional utilities providing electric, natural gas, water, and wastewater services. The Diversity Reporting Regulations were enacted upon publication in the *Pennsylvania Bulletin*, at 52 Pa.B. 5934, on September 17, 2022.

Some of these provisions include the following:

- Encouraging utilities to establish diversity programs by implementing a corporate policy focused on improving diversity in the workplace and within the procurement process; developing a corporate-wide diversity program with yearly goals and objectives; and training and appointing utility managers to successfully implement diversity initiatives in employment and contracting for goods and services.

- Recommending that utilities develop a diversity program to ensure that minority/women/persons with disabilities/LGBTQ/veteran-owned businesses have an equal opportunity to compete for, and receive a fair proportion of contracts for, the purchase of equipment, supplies, services, fuels, materials, construction, professional services, advertising, and other similar products and services.

- Encouraging utilities to establish substantial, verifiable plans for using minority/women/persons with disabilities/LGBTQ/veteran-owned businesses and to establish minimum improvement levels for each major product and service category that provides these businesses with opportunities for procurement.

- Encouraging each major jurisdictional utility and each major telecommunications utility to establish and maintain a subcontracting program for its prime contractors to use minority/women/persons with disabilities/LGBTQ/veteran-owned businesses as subcontractors.

These Diversity Policy Statement provisions, coupled with our Diversity Reporting Regulations, provide this Commission with valuable insight into the efforts utilities are making to attract the labor force, including the labor force generated through contracts and subcontracts, that is essential to providing safe, reasonable, efficient, and reliable service. Utility diversity programs can successfully leverage untapped talent pools in this time of increased utility workforce retirements, further supporting workforce development plans. Pennsylvania's jurisdictional utilities, as regulated monopolies, have distinct ties to their communities and are in a unique position to hire employees, contractors, and subcontractors that are representative of the communities they serve. The utilities' diversity programs impact and strengthen the relationships between utilities and the customers that live and work in their communities and, ultimately, the way customers are served. I commend the utilities for filing their first annual diversity reports in March of this year, and I encourage them to continue with their diversity efforts.

Moreover, I appreciate the leadership of Governor Shapiro and his administration in creating the Commonwealth Workforce Transformation Program this week, which among other achievements, will assist Pennsylvania in growing its diverse workforce by using the federal investments of the federal Infrastructure Investment and Jobs Act of 2021, Pub.L. No. 117-169 (IIJA), and the federal Inflation Reduction Act of 2022, Pub.L. No. 117-169 (IRA), to create "good jobs with family-sustaining wages and equitable pathways to these good jobs for workers from all communities."<sup>5</sup> I appreciate the diversity and workforce equity actions of the Shapiro Administration, and I am excited for the Commission to engage in actions that continue to grow our diverse workforce here. As one of the heads of an independent state agency, I

<sup>5</sup> See Executive Order 2023-17—Commonwealth Workforce Transformation Program (the purpose of which is to coordinate the distribution of the IIJA and IRA monies available for workforce development and on-the-job training through a grant program distributed through the various state agencies that receive such federal funding).

strongly believe that now is the time for this Commission to evaluate itself to understand if we are moving the needle to attract diversity of thought and diversity of perspective and to celebrate and support peoples' differences. It is critical for us to be self-aware and mindful of our actions so that we can be an employer of choice and attract and maintain a strong workforce to ensure that Pennsylvania residents and businesses are receiving safe, reasonable, efficient, and reliable utility service.

DATE: August 3, 2023

KATHRYN L. ZERFUSS,  
Commissioner

### Annex A

## TITLE 52. PUBLIC UTILITIES

### PART I. PUBLIC UTILITY COMMISSION

#### Subpart C. FIXED SERVICE UTILITIES

#### CHAPTER 69. GENERAL PROVISIONS

#### CHAPTER 69. GENERAL ORDERS, POLICY STATEMENTS AND GUIDELINES ON FIXED UTILITIES

### DIVERSITY AT MAJOR JURISDICTIONAL UTILITY COMPANIES—STATEMENT OF POLICY

#### § 69.801. General.

From a business perspective, diversity should be associated with a [ **company's** ] **public utility's** business objectives and strategies. Diversity is an economic reality that [ **corporate entities** ] **public utilities** should include in their corporate strategies now and in the future. The Commission [ **intends to take the next step by encouraging** ] **encourages** major jurisdictional [ **utility companies** ] **utilities and major telecommunications utilities** operating in this Commonwealth to incorporate diversity in their business strategy in connection with the procurement of goods and services. **Major telecommunications utilities are further encouraged to file diversity reports in the same format as major jurisdictional utilities are directed in §§ 51.11—51.13 (relating to diversity).**

§ 69.802. Definitions [ **for reporting employee statistics** ].

(a) The following words and terms, when used in §§ 69.801—69.809 [ **in the context of major jurisdictional utility company employees** ], have the following meanings:

[ **Black or African-Americans**—A person having origins in any of the black racial groups of Africa.

**Asian (not Hispanic or Latino)**—A person having origins in any of the original peoples of the Far East, Southeast Asia or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.

**Diversity**—The attainment of organizational objectives by maximizing the contributions of individuals from every segment of the population including minorities, women, persons with disabilities, LGBTQ and veterans.

**Hispanic or Latino**—A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

**LGBTQ**—Lesbian, gay, bisexual, transgender, queer and questioning. This term also includes gender non-conforming individuals. ]

**Control**—The exercise of the power to make **policy decisions**.

**Long-term plan**—A plan applicable to a period of 5 years.

**MIL—Minimum Improvement Level**—A level or goal which, when achieved, indicates progress in a preferred direction. An MIL is neither a requirement nor a quota, and no specific participation levels are intended.

[ **Major jurisdictional utility company**—Electric, gas, water and telephone utilities whose net plant in service is valued at \$10 million or more. The term includes major telephone companies, defined as companies exceeding 50,000 access lines. ]

**Major telecommunications utility**—A telecommunications public utility as defined under 66 Pa.C.S. § 102 (relating to definitions) with 50,000 or more access lines.

**Midterm plan**—A plan applicable to a period of 3 years.

[ **Native American or Alaska Native (not Hispanic or Latino)**—A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

**Native Hawaiian or Pacific Islander (not Hispanic or Latino)**—A person having origins in any of the peoples of Hawaii, Guam, Samoa or other Pacific Islands. ]

**Operate**—Active involvement in the day-to-day management. The term involves more than acting as officers or directors.

[ **Person with disabilities**—A person who has a disability as defined in the Americans with Disabilities Act (ADA), 42 U.S.C.A. § 12102. Employer reporting on person with disabilities should be based on employee self-identification. ]

**Short-term plan**—A plan applicable to a period of 1 year.

**Subcontract**—An agreement or arrangement between a contractor and a party or person—in which the parties do not stand in the relationship of an employer and an employee—for the furnishing of supplies or services for the use of real or personal property, including lease arrangements, which in whole or in part, is necessary to the performance of any one or more contracts.

**Substantial objectives**—Objectives which are realistic and clearly demonstrate a major jurisdictional utility company's commitment to increase minority/women/persons with disabilities/LGBTQ/veteran-owned business share of the utility's purchases and contracts.

[ **Two or more races (not Hispanic or Latino)**—A person who identifies with more than one of the five races identified in this section.

**White (not Hispanic or Latino)**—A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

**Veteran**—A person who meets any veteran category defined in 42 C.F.R. § 61-300.2. ]

(b) The following words and terms, when used in §§ 69.801—69.809, are used as defined in § 51.12 (relating to definitions).

Asian (not Hispanic or Latino)

Black or African American (not Hispanic or Latino)

Diversity

Exempt procurement

Hispanic or Latino

LGBTQ—Lesbian, gay, bisexual, transgender, queer and questioning

Major jurisdictional utility

MBE—Minority-owned business enterprise

Minority

Native American or Alaska Native (not Hispanic or Latino)

Native Hawaiian or Pacific Islander (not Hispanic or Latino)

Person with disabilities

Two or more races (not Hispanic or Latino)

Veteran

WBE—Women-owned business enterprise

White (not Hispanic or Latino)

§ 69.802a. [ Definitions for reporting vendor statistics ] [ Reserved ].

[ The following words and terms, when used in §§ 69.801—69.809 in the context of major jurisdictional utility company vendors, have the following meanings, unless the context clearly indicates otherwise:

**Control**—The exercise of the power to make policy decisions.

**Exempt Procurement**—A product or service which may be removed from the dollar base used to establish minimum improvement levels, because of the demonstrated unavailability of a minority/women/people with disabilities/LGBTQ/veteran-owned business currently capable of supplying a product or service. The term may also include one or more of the following situations:

(I) The vendor is the original equipment manufacturer.

(II) The vendor is the only known source of the product or service.

(III) A plant emergency situation dictates use of a specific vendor.

(IV) Purchases from affiliates, corporate parents and their subsidiaries.

**LGBTQ**—Lesbian, gay, bisexual, transgender, queer and questioning.

**MBE—Minority-Owned Business Enterprise**—A business enterprise that is at least 51% owned by a minority individual or group or individuals; or a publicly-owned business that has at least 51% of its stock owned by one or more minority individuals, and whose management and daily business operations are controlled by these individuals. “Minority” may include Black Americans, Hispanic-Americans,

Native Americans, Asian-Pacific Americans or any other socially disadvantaged individuals as defined in 13 C.F.R. § 124.103.

**Operate**—Active involvement in the day-to-day management. The term involves more than acting as officers or directors.

**Person with disabilities**—A person who has a disability as defined in the Americans with Disabilities Act (ADA), 42 U.S.C.A. § 12102. Employer reporting on person with disabilities should be based on employee self-identification.

**Subcontract**—An agreement or arrangement between a contractor and a party or person—in which the parties do not stand in the relationship of an employer and an employee—for the furnishing of supplies or services for the use of real or personal property, including lease arrangements, which in whole or in part, is necessary to the performance of any one or more contracts.

**Veteran**—A person who meets any veteran category defined in 42 C.F.R. § 61—300.2.

**WBE—Women-Owned Business Enterprise**—A business enterprise that is at least 51% owned by a woman or women; or a publicly owned business that has at least 51% of its stock owned by one or more women, and whose management and daily business operations are controlled by one or more women. ]

§ 69.803. Guidelines for diversity development.

The Commission encourages major jurisdictional [ **utility companies** ] **utilities and major telecommunications utilities** to implement diversity programs. This effort may include the following:

(1) The articulation of a corporate policy by the senior executives of the major jurisdictional utility [ **company** ] **and the major telecommunications utility** committing it to improving its level of diversity in the workplace and within its procurement process.

(2) The development and implementation of a corporate-wide diversity program with specified goals and objectives for each year.

(3) The appointment of utility managers to be responsible for the success of the program.

(4) The training of managers regarding implementing diversity initiatives in the areas of employment and contracting for goods and services.

(5) The location of qualified minority/women/persons with disabilities/LGBTQ/veteran-owned business contractors and mentoring, partnering and training qualified women/minority/persons with disabilities/LGBTQ/veteran-owned businesses contractors to serve the needs of the major jurisdictional utility [ **company** ] **and the major telecommunications utility**.

§ 69.804. Contracting recommendations.

The Commission recommends that major jurisdictional [ **utility companies** ] **utilities and major telecommunications utilities** strive to take maximum efforts to provide that minority/women/persons with disabilities/LGBTQ/veteran-owned businesses have an equal opportunity to compete for the purchase of equipment, supplies, services, fuels, materials, construction, professional services, advertising and the like. The Commission encour-

ages major jurisdictional [ **utility companies** ] **utilities and major telecommunications utilities** to develop a diversity program which is designed to provide that a fair proportion of products and services contracts are offered to minority/women/persons with disabilities/LGBTQ/veteran-owned businesses. It is recommended that [ **the** ] **each major jurisdictional utility [ companies ] and each major telecommunications utility** adopt the general guidelines in §§ 69.805—69.808 in the development or enhancement of their diversity program relative to contracting for goods and services.

**§ 69.805. Program development.**

The major jurisdictional [ **utility companies** ] **utilities and the major telecommunications utilities** are encouraged to have an appropriate executive accountable for providing overall direction and guidance to the minority/women/persons with disabilities/LGBTQ/veteran-owned business program. Each major jurisdictional utility [ **company** ] **and each major telecommunications utility** is invited to maintain a staff to implement program requirements concerning the women/minority/persons with disabilities/LGBTQ/veteran-owned businesses. It may not be necessary for [ **the** ] **a major jurisdictional utility [ company ] or a major telecommunications utility** to increase its staff or to reassign existing staff to minority/women/persons with disabilities/LGBTQ/veteran-owned business program responsibilities if the major jurisdictional utility [ **company** ] **or the major telecommunications utility** can implement its program effectively through its current resource commitment and management structure.

**§ 69.806. Minimum improvement levels.**

By March 1 of each year, each major jurisdictional utility [ **company** ] **and each major telecommunications utility** is encouraged to annually set substantial and verifiable short-term, midterm and long-term plans for the utilization of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses. Minimum improvement levels should be set annually for each major product and services category which provides opportunities for procurement.

(1) The major jurisdictional [ **utility companies** ] **utilities and the major telecommunications utilities** may consider the following factors in setting their minimum improvement levels:

(i) [ **The** ] **Their** total [ **major jurisdictional utility company** ] purchasing or contracting projections, or both, including fees to financial (for example, financial institutions and the like), advertising, legal and professional services.

(ii) Availability of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses in the major jurisdictional [ **utility company's** ] **utility's or the major telecommunications utility's** service area and surrounding communities.

(iii) Market dynamics based on historical data and trends.

(iv) Other appropriate factors which would increase the minority/women/persons with disabilities/LGBTQ/veteran-owned businesses share of utility business.

(2) Program objectives should be established for both minority-owned, non-minority women-owned, persons with disabilities-owned, LGBTQ-owned and veteran-owned business enterprises.

(3) [ **A** ] **Each** major jurisdictional utility [ **company** ] **or each major telecommunications utility** may exclude a specific product or service when it is clearly evident the minority/women/persons with disabilities/LGBTQ/veteran-owned businesses do not provide a specific product or service, or that exempt procurement is the only available procurement method for obtaining that specific product or service. Each major jurisdictional utility [ **company** ] **and each major telecommunications utility** should demonstrate the unavailability of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses capable of supplying these products and services on a [ **case by case** ] **case-by-case** basis. Because there may in the future be minority/women/persons with disabilities/LGBTQ/veteran-owned businesses capable of supplying products or services currently being supplied by an exempt procurement provider, the major jurisdictional utility [ **company** ] **or the major telecommunications utility** should explain in its annual report the continued use of any exempt procurement provider.

(4) [ **A** ] **Each** major jurisdictional utility [ **company** ] **and each major telecommunications utility** which is presently purchasing products or services from affiliates may subtract the dollars paid to affiliates for these products or services from the total dollars used as the basis for establishing minimum improvement levels for purchases from minority/women/persons with disabilities/LGBTQ/veteran-owned businesses if the major jurisdictional utility [ **company** ] **or the major telecommunications utility** requires the affiliate to establish an appropriate subcontracting program for minority/women/persons with disabilities/LGBTQ/veteran-owned businesses where the affiliates employ subcontractors. [ **A** ] **Each** major jurisdictional utility [ **company** ] **and each major telecommunications utility** which takes advantage of this section should report to the Commission, in its annual report, whether the affiliates have established a subcontracting program and describe the results of the program.

(5) Overall program levels should be expressed as a percentage of total dollars awarded to outside suppliers and contractors other than products and services which fall within an exempt procurement category established by the major jurisdictional utility [ **company** ] **or the major telecommunications utility**.

(6) Payments for fuel, purchased power and franchise tax fees need not be included in the procurement dollar base used to establish minimum improvement levels.

(7) Each major jurisdictional utility [ **company** ] **and each major telecommunications utility** is encouraged to make special efforts to increase utilization of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses, in conjunction with its established minimum improvement levels, in areas that are considered to be technical in nature, and where there has been low utilization, such as consultants, legal and financial services.

(8) Each major jurisdictional utility [ **company** ] **and each major telecommunications utility** is invited to consider the utilization of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses when outsourcing noncore business functions and report these contracts as part of the annual report.

**§ 69.807. Subcontracting program.**

Each major jurisdictional utility [ **company** ] **and each major telecommunications utility** is encouraged to establish and maintain a subcontracting program for its prime contractors to utilize minority/women/persons with disabilities/LGBTQ/veteran-owned business subcontractors. The subcontracting program will serve as an enhancement to and not a replacement for [ **the major jurisdictional utility company** ] a minority/women/persons with disabilities/LGBTQ/veteran-owned business program.

(1) [ **The** ] **Each** major jurisdictional utility [ **company** ] **and each major telecommunications utility** should incorporate in purchase orders, requests for bid proposals and other appropriate procurement documents related to procurement efforts subject to its subcontracting program, a statement such as follows:

“It is the policy of this utility that businesses owned by minorities, women, persons with disabilities, LGBTQ and veterans should have an equal opportunity to compete for subcontracts. The contractor agrees to use its best efforts to carry out this policy to the fullest extent consistent with the efficient performance of this contract.”

(2) [ **The** ] **Each** major jurisdictional utility [ **company** ] **and each major telecommunications utility** is encouraged to assist its prime contractors in developing plans to increase the opportunities for participation by minority/women/persons with disabilities/LGBTQ/veteran-owned business subcontractors. Prime contractors will be encouraged to submit these plans and the results to the major jurisdictional utility [ **company** ] **or the major telecommunications utility**.

(3) The subcontracting program should apply to purchases/contracts exceeding \$500,000 for products and services, and for construction contracts over \$1 million. The subcontracting program need not be applied to [ **the procurement of products and services in excluded categories** ] **exempt procurements**. See § 51.12 (relating to definitions).

(4) Each major jurisdictional utility [ **company** ] **and each major telecommunications utility** is encouraged to inform suppliers of products and services that subcontracting with businesses owned by minority/women/persons with disabilities/LGBTQ/veterans is a factor that may be considered in the bid evaluation process.

(5) [ **Each should include awards to verified minority/women/persons with disabilities/LGBTQ/veteran-owned business subcontractors in each report to the Commission** ] [ **Reserved** ].

**§ 69.808. External outreach.**

Each major jurisdictional utility [ **company** ] **and each major telecommunications utility** should implement an outreach program to inform, to recruit and to expand procurement activities to qualified and qualifiable businesses owned by minority/women/persons with disabilities/LGBTQ/veterans. Outreach activities may vary for each major jurisdictional utility [ **company** ] **and each major telecommunications utility** depending on its size, service territory and specific lines of business. Each major jurisdictional utility [ **company** ] **and each major telecommunications utility** should, at a minimum, consider implementation of the following:

(1) Actively seek out opportunities to identify business contractors and suppliers that are owned by minority/women/persons with disabilities/LGBTQ/veterans and to expand source pools.

(2) Actively support the efforts of organizations experienced in promoting the interest of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses.

(3) Initiate business development partnerships (long-term), joint ventures or venture capital projects with minority/women/persons with disabilities/LGBTQ/veteran-owned businesses such as outsourcing agreements of noncore utility business functions when applicable to allow business expansion within the minority/women/persons with disabilities/LGBTQ/veteran-owned business community. Provide technical/management support (short-term) to ensure the success of this initiative.

(4) Work with minority/women/persons with disabilities/LGBTQ/veteran-owned business contractors to facilitate contracting relationships by explaining utility qualification requirements, bidding and contracting procedures, materials requirements, invoicing and payment schedules and other procurement practices and procedures.

**§ 69.809. [ Filings ] Major telecommunications utility filings.**

(a) The major [ **jurisdictional utility companies** ] **telecommunications utilities** are encouraged to file with the Secretary of the Commission an annual report describing their diversity program activity for the prior year. The annual report should contain the following elements:

(1) A copy of any corporate policy committed to improving diversity in the workplace and in the procurement process.

(2) A description of any training implemented on diversity initiatives in employment and in the contract of goods and services.

(3) The demographic composition of the major [ **jurisdictional** ] **telecommunications** utility company's workforce, reporting the number of employees by gender, race and ethnicity, persons with disabilities, and veterans on a form provided by the Commission.

(4) A description of any diversity recruiting strategies.

(5) A description of any diversity promotion efforts.

(6) A description of any diversity retention efforts.

(7) A brief description of any involvement with organizations promoting diversity.

(8) A brief summary of [ **diverse-owned businesses the company** ] **MBEs and WBEs that the major telecommunications utility** contracts with for goods and services. Include percentage of dollars spent with [ **diverse-owned businesses versus non-diverse businesses** ] **MBEs and WBEs versus non-MBEs and non-WBEs**.

(b) Information that is otherwise unobtainable to the major [ **jurisdictional utility company** ] **telecommunications utility**, for example, prime contractor utilization of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses as subcontractors, should be reported **as unobtainable** in the annual filings.

(c) **Major telecommunications utilities that file annual reports with the Commission should file**

their respective annual reports confidentially in conformance with the filing specifications at § 1.32 (relating to filing specifications).

(d) Reporting of persons with disability and LGBTQ status should be confidential and voluntary on the part of the employee.

(e) If a major telecommunications utility files an annual report, the information and form filed shall be confidential.

[Pa.B. Doc. No. 23-1323. Filed for public inspection September 29, 2023, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF AGRICULTURE

### Commercial Feed Ingredients

Under 3 Pa.C.S. § 5109 of the Commercial Feed Act (act) (relating to rules and regulations), the Department of Agriculture (Department) has the authority to promulgate rules and regulations necessary for the efficient administration of the act. Under the Department's regulations relating to commercial feed, the names and definitions for commercial feeds will be those contained in the Official Definitions of Feed Ingredients adopted by the Association of American Feed Control Officials and the terms used in reference to commercial feeds will be those contained in the Official Feed Terms adopted by the Association of American Feed Control Officials (7 Pa. Code § 71.1(a) and (b) (relating to general provisions)).

The Department recognizes the following new official commercial animal feed terms, as published by the Association of American Feed Control Officials.

**Freeze Dried (process)**—Freeze dried, also known as lyophilized or cryodesiccated, is a low temperature dehydration process that involves freezing the product, lowering pressure, then removing the water or moisture by sublimation. Product must be dried to reach a moisture or water, or both, activity level needed to be shelf stable.

**Finished Feed**—A product which has undergone all the feed manufacturer's intended manufacturing processes prior to entering into commerce. Some types of finished feed may be:

1. Fed directly to animals, such as complete feeds, supplement feeds and Type C medicated feeds.
2. Intended only for further manufacture of feed, such as premixes.

The Department gives notice of the following:

1. The official definition of Black Soldier Fly Larvae Oil has been modified to allow its use as an ingredient in adult dog food.

**Black Soldier Fly Larvae Oil**—The product obtained by mechanically extracting the oil from dried larvae of Black Soldier Fly, *Hermetia illucens*, that have been raised on a feedstock composed exclusively of feed grade materials. It is intended for use in swine, finfish feed and adult dog food as a source of energy consistent with good feeding practices. It consists predominantly of glyceride esters of fatty acids and contains no additions of free fatty acids or other materials obtained from fats. It must contain, and be guaranteed for, not less than 90% total fatty acids, not more than 2% unsaponifiable matter and not more than 1% insoluble impurities. Maximum free fatty acids and moisture must also be guaranteed. If an antioxidant is used, the common name or names must be indicated, followed by the words "used as a preservative."

2. The official definition of Dried \_\_\_\_\_ Fermentation Product has been modified to allow the use of *Lactobacillus diolivorans* as a silage inoculant.

**Dried \_\_\_\_\_ Fermentation Product**—The produced derived by culturing \_\_\_\_\_ on appropriate nutrient media for the production of one or more of the following: enzymes, fermentation substances, or other microbial metabolites and dried in accordance with approved methods and good manufacturing practices. Protein, amino acids, fat, fiber, cell count, enzyme activity or nutrient metabolite level shall be guaranteed where applicable. Use of *Lactobacillus buchneri* and *Lactobacillus diolivorans* is limited to silage and high moisture corn grain in plant inoculant products.

Direct questions or information requests to David Husner, Agronomic Program Specialist, Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5216.

A complete listing of official terms and definitions can be accessed from the Association of American Feed Control Officials at <https://www.aafco.org/resources/official-publication/>.

RUSSELL REDDING,  
Secretary

[Pa.B. Doc. No. 23-1324. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Fertilizer Terms and Definitions

Under 3 Pa.C.S. § 6817 of the Fertilizer Act (act) (relating to rules of regulations), the Department of Agriculture (Department) is given authority to promulgate rules and regulations necessary for administration and implementation of Chapter 68 of the act (relating to fertilizer) and draft and issue orders as are necessary to enforce and provide clarity for administration of the chapter. Under 7 Pa. Code Chapter 73 (relating to fertilizers), specifically § 73.2(a) and (b) (relating to fertilizer terms, names and definitions), the fertilizer terms used will be those contained in the current edition of the *Official Publication of the Association of American Plant Food Control Officials, Inc.* and except as the Secretary designates otherwise in specific cases, the names and definitions for commercial fertilizers will be those adopted by the Association of American Plant Food Control Officials.

The Department recognizes the following new official fertilizer ingredient definitions, as published by the Association of American Plant Food Control Officials.

**Calcium citrate and its hydrated forms**—The calcium salt of citric acid. Anhydrous calcium citrate has the formula  $\text{Ca}_3(\text{C}_6\text{H}_5\text{O}_7)_2$ .

**Orthosilicic acid (OSA)**—The monomeric form of silicon with the chemical formula  $\text{Si}(\text{OH})_4$  that is absorbed and transported in plants and is detected by the molybdenum blue heteropoly method.

The Department gives notice that the definition of "Ammoniated Calcium Nitrate" was withdrawn from the

terms and definitions published by the Association of American Plant Food Control Officials and this ingredient is no longer permitted in fertilizer.

Direct questions or information requests to David Husner, Agronomic Program Specialist, Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5216.

A complete listing of official terms and definitions can be accessed from the Association of American Plant Control Officials at [aapfco.org/publications.html](http://aapfco.org/publications.html).

RUSSELL REDDING,  
*Secretary*

[Pa.B. Doc. No. 23-1325. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending September 19, 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, may file comments in writing with the Department, for Bank Supervision, by e-mail to [ra-bnbnksbmssnspt@pa.gov](mailto:ra-bnbnksbmssnspt@pa.gov) or for credit unions, by e-mail to [ra-bncusubmissions@pa.gov](mailto:ra-bncusubmissions@pa.gov) and trust companies, by e-mail to [ra-bntrustsuprvsninq@pa.gov](mailto:ra-bntrustsuprvsninq@pa.gov). Comments must be received no later than 30 days from the date that the notice regarding acceptance 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, or for credit unions or trust companies (717) 783-2253.

### APPLICATIONS FOR COMMENT

#### BANKING INSTITUTIONS

##### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
9-19-2023	Pitcairn Trust Company Jenkintown Montgomery County Application for approval to convert from a Stock Corporation to a Limited Liability Company.	Accepted

#### CREDIT UNIONS

No activity.

### OTHER APPLICATION ACTIVITY

#### BANKING INSTITUTIONS

##### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
09-05-2023	Mid Penn Bank Millersburg Dauphin County	1196 Walnut Bottom Road Carlisle Cumberland County	Opened

##### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
09-15-2023	Univest Bank and Trust Co. Souderton Montgomery County	2645 Street Road Bensalem Bucks County	Closed

#### CREDIT UNIONS

No activity.

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

WENDY S. SPICHER,  
*Acting Secretary*

[Pa.B. Doc. No. 23-1326. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Click Video, LLC v. Commonwealth of Pennsylvania, Department of Community and Economic Development, Doc. No. DCED-2023-0003

On July 6, 2023, Petitioner Click Video, LLC filed an appeal of a denial of an application for benefits under the Keystone Innovation Zone Program (72 P.S. §§ 8901-F—8908-F).

### Notice

A hearing will be conducted before Department of State Chief Hearing Examiner Debra A. Rand, Esquire, at 9:30 a.m. on October 23, 2023, at One Penn Center, 2601 North Third Street, Harrisburg, PA. For additional information contact the Department of State's prothonotary at (717) 772-2686. The hearing will be conducted in accordance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

RICK SIGER,  
*Secretary*

[Pa.B. Doc. No. 23-1327. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Waterfront Development Organizations

Under the act of July 13, 2016 (P.L. 526, No. 84) (72 P.S. §§ 8701-K—8710-K), the Waterfront Development Tax Credit Program Act (act) was established in this Commonwealth. This act authorizes the Department of Community and Economic Development (Department) to approve qualified waterfront development organizations who are eligible to submit waterfront development projects. The act requires the Department to annually publish a list of each waterfront development organization, its approved waterfront development projects and the total aggregate cost of those projects in the *Pennsylvania Bulletin*.

A list of the approved waterfront development organizations, their approved waterfront development projects and the total aggregate cost of those projects for Fiscal Year 2023-2024 follows.

#### List of Waterfront Development Organizations (Effective July 1, 2023—June 30, 2024)

<i>Organization Name</i>	<i>Approved Projects</i>	<i>Total Aggregate Cost of Approved Projects</i>
Schuylkill River Development Corporation	1. Schuylkill Crossing at Grays Ferry 2. Christian to Crescent Connection 3. Schuylkill Banks Bulkhead Restoration 4. Bartram's to Passyunk Phase II	\$39,710,120
PUSH Beaver County Corporation	1. Lower Beaver River Greenway, Amphitheater and Recreational Trail Loop (Phase 1 and Phase 2)	\$1,775,664
Colebrookdale Railroad Preservation Trust	1. Colebrookdale Children's Educational Grove Phase II 2. Frog Hollow Natural Area 3. Pine Forge Park	\$35,805,967
Riverfront Alliance of Delaware County	1. Reaney Street Reconstruction 2. West 2nd Street Waterfront Trail	\$4,905,172
Riverlife	1. Allegheny Landing Dock 2. Allegheny Riverfront Park 3. Sister Bridges Experience Phase I	\$12,923,030
Action Housing, Inc.	1. Sharpsburg Riverfront Village—Demolition and Removal 2. Sharpsburg Riverfront Village—Environmental Remediation 3. Sharpsburg Riverfront Village—Grading and Soil Placement	\$1,625,000

RICK SIGER,  
*Secretary*

[Pa.B. Doc. No. 23-1328. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Availability of the Nita M. Lowey 21st Century Community Learning Centers Cohort 12 Grant Request for Proposals

The Department of Education (Department) announces the availability of the Nita M. Lowey 21st Century Community Learning Centers (21st CCLC) Cohort 12 Grant Request for Proposals (RFP). The Cohort 12 application for the 21st CCLC grant will be submitted by means of the eGrants system starting October 23, 2023. The period of availability is 5 years, which is anticipated to begin March 1, 2024, and end February 28, 2029, subject to availability of funds from the United States Department of Education and satisfactory performance of the grantee in the previous year.

The Nita M. Lowey 21st CCLC grant is a competitive grant that provides Federal funding to establish community learning centers that provide academic, artistic and cultural enrichment opportunities for students and their families. These opportunities must occur during nonschool hours or periods when school is not in session to help students attending high-poverty and low-performing schools to meet State and local standards in core academic subjects. Centers must also offer students a broad array of activities that can complement their regular academic programs and literacy and other educational services to their families. The 21st CCLC program is authorized under Title IV, Part B of the Elementary and Secondary Education Act, 20 U.S.C. §§ 6301—7981, as amended by the No Child Left Behind Act of 2001 (Pub.L. No. 107-110) and reauthorized by the Every Student Succeeds Act (ESSA) (Pub.L. No. 114-95).

The 21st CCLC Non-Regulatory Guidance is available at [www2.ed.gov/programs/21stcccl/legislation.html](http://www2.ed.gov/programs/21stcccl/legislation.html).

#### *Program Purpose*

The purpose of the 21st CCLC program is to provide opportunities for communities to establish or to expand activities in community learning centers that:

1. provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards;
2. offer students a broad array of additional services, programs and activities, such as youth development activities, tutoring, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and
3. offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

#### *Funding Availability*

The Department will have approximately \$25 million available for Cohort 12 grants. Applicants may choose to

provide out-of-school time programming (for example, before school, afterschool, holidays, weekends and summer school services) focused on providing opportunities for academic enrichment, including tutorial services to assist students, particularly those who attend low-performing schools and to assist them in meeting the challenging academic standards in kindergarten through grade 12. The performance measures of school attendance, classroom performance, or reduced disciplinary referrals and meeting State and local academic achievement standards in reading, math and science must be addressed by all applicants.

Applicants may request funds ranging from a minimum of \$50,000 to a maximum of up to \$600,000. Programs that propose to provide both school year and summer programming are more impactful for results and data. There will be no summer-only applicants in this grant round. Requests for funding should be based on a maximum per pupil-seat cost of \$2,100—\$2,548, which includes administrative and transportation costs.

#### *Eligible Applicants*

Public or private organizations that meet the eligibility requirements can apply for 21st CCLC funding. This includes public school districts, charter schools, private schools, nonprofit agencies, city or county government agencies, faith-based organizations, institutions of higher education, Indian tribes or tribal organizations and for-profit corporations. Programs must be implemented through a partnership that includes at least one local educational agency receiving funds under Part A of Title I and at least one nonprofit agency, city or county government agency, faith-based organization, institution of higher education, Indian tribe or tribal organization or for-profit corporation with a demonstrated record of success in designing and implementing before school, after school, summer learning or expanded learning time activities.

Applicants must target students in the lowest 5% to 10% of Title I schools or those listed as focus and priority schools. To be eligible for this grant, at least 85% of the students an applicant is proposing to serve must attend schools that are Title 1, TSI, ATSI or CSI.

A current list of TSI, ATSI and CSI list of schools is available at [www.education.pa.gov/K-12/ESSA/pages/accountability.aspx](http://www.education.pa.gov/K-12/ESSA/pages/accountability.aspx).

Current Cohort 10 and 11 grantees are eligible to apply but cannot duplicate services of their current grants or propose to provide services to the identical target population of students. Cohort 12 applicants selected for funding are not eligible to amend their target populations to include current Cohort 10 or 11 grant students once funding for previously awarded grants have ended.

#### *Program Conditions*

Programming must be high quality and evidence-based, connected to school day learning and outcomes, conducted in a safe and accessible facility, and offer every participating student a minimum of 300 nonschool hours of programming during the school year.

Unsuccessful applicants are eligible for due process under 34 CFR 76.401 (relating to disapproval of an application—opportunity for a hearing) of EdgAr.

*Grant Award Process and Key Dates*

Potential applicants must complete the following steps:

1. Read grant qualifications—Beginning September 20, 2023, the Cohort 12 grant RFP can be found by visiting the Department's web site at <http://www.education.pa.gov> and using the search keywords 21st CCLC.

2. Attend the Grant Writing Webinar (Thursday, September 28, 2023—LEAs, Friday, September 29, 2023—Non-LEAs). Registration for this event is available on the Center for Schools and Communities web site at [www.centerforschoolsandcommunities.org](http://www.centerforschoolsandcommunities.org).

3. Notify the Department by e-mail at RA-21stCCLC@pa.gov of the applicant's intent to submit an application (must be received at the 21st CCLC office by Monday, October 16, 2023). Include in the letter:

- a. The legal name of the entity.
- b. The Administrative Unit Number (AUN) and vendor number for the lead organization (to find the individual AUN, visit the Education Names and Addresses web site at [www.edna.pa.gov/screens/wfhome.aspx](http://www.edna.pa.gov/screens/wfhome.aspx)).
- c. The target population to be served by the program including grade levels and proposed site locations.
- d. Confirmation of school district and schools to be served.
- e. Community-based organization partners.
- f. The name of the agency administrator and any agency signatory authority.

*Note:*

Send an e-mailed letter of intent to the 21st CCLC office at RA-21stCCLC@pa.gov by Monday, October 16, 2023. The Department will then create the entity account which will grant access to the Division of Student Services grants.

4. Confirm the individual's access to the eGrants system (if the individual does not have an AUN number or if the individual has questions regarding eGrants registration, contact Education Administration Supervisor, N. Craig Scott at [nscot@pa.gov](mailto:nscot@pa.gov)).

5. EGrants opens for 21st CCLC Cohort 12 grant applications on Monday, October 23, 2023. Deadline for submission is 12 p.m. on Thursday, November 9, 2023.

6. Awarded applicants will be notified by Monday, February 12, 2024.

7. Contract effective date anticipated to be Friday, March 1, 2024. Deadline for programs to begin is Monday, June 24, 2024.

*For More Application Information:*

- Visit the Department's web site at [www.education.pa.gov](http://www.education.pa.gov) and use the search keywords 21st CCLC.
- E-mail additional questions to RA-21stCCLC@pa.gov or to N. Craig Scott, 21st CCLC Education Administration Supervisor, Division of Student Services, Bureau of School Support, [nscot@pa.gov](mailto:nscot@pa.gov), (717) 346-3251.
- Department of Education, Bureau of School Support, 333 Market Street, 3rd Floor, Harrisburg, PA 17010, (717) 783-6466, fax (717) 783-4392, [www.education.pa.gov](http://www.education.pa.gov).

This message was sent by means of PL-ALL-LEA@LISTS.PSU.EDU, an e-mail distribution list maintained by the PENN\*LINK Service for the Department. To contact the managers of this list, send an e-mail to PL-ALL-LEA-REQUEST@LISTS.PSU.EDU.

DR. KHALID N. MUMIN,  
*Secretary*

[Pa.B. Doc. No. 23-1329. Filed for public inspection September 29, 2023, 9:00 a.m.]

**DEPARTMENT OF EDUCATION****Cyber Charter School Application; Public Hearings**

The Department of Education (Department) will conduct public hearings regarding cyber charter school applications postmarked or submitted on or before October 1, 2023. The hearings are currently scheduled for November 2, 2023; November 8, 2023; November 9, 2023; November 14, 2023; and November 16, 2023.

The hearings will be able to be viewed virtually but applicants and persons wishing to provide verbal comments at the time of the hearing must attend in person. Members of the public may view the hearing virtually or attend in person. Only individuals who have submitted comments ahead of time will be permitted to comment at the hearings. The hearings will take place in the York and Columbia Rooms at Harrisburg PaTTAN, 6340 Flank Drive, Harrisburg, PA 17112, beginning at 9 a.m. Login information to access the hearings will be posted to the Department's Division of Charter School's (Division) Applications webpage at <https://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

The hearings pertain to applicants seeking to operate a new cyber charter school beginning in the 2024-2025 school year. The purpose of the hearings is to gather information from applicants about the proposed cyber charter schools as well as receive comments from interested individuals regarding the applications. The names of the applicants, copies of the applications and a listing of the dates and times scheduled for the hearings on each application can be viewed on the Department's web site on or before October 13, 2023, at [www.education.pa.gov](http://www.education.pa.gov).

Individuals who wish to provide verbal or written comments on an application must provide a copy of their comments to the Department and the applicant 10 days prior to the scheduled hearing. Comments provided by this deadline will become part of the certified record concerning the applications. Failure to comply with this deadline will preclude the individual from providing comments. Verbal comments may be limited based on the number of individuals requesting time to provide comments.

The hearings will be conducted by a panel of individuals who have completed an initial review of the applications. Panel members may question the applicants on issues identified during the initial review, as well as issues raised in the written comments filed by the deadline. Panel members may also question individuals who offer verbal comments. Commentators will not be permitted to question either the applicant or the panel members.

Comments sent to the Department should be addressed to the Division of Charter Schools, 333 Market Street, 3rd Floor, Harrisburg, PA 17126-0333, in addition to being e-mailed to the Division at [ra-charterschools@pa.gov](mailto:ra-charterschools@pa.gov).

Comments sent to an applicant should be addressed using the contact information contained within the application by mail, in addition to being e-mailed. Hearing agendas will be prepared no later than 1 week before the scheduled hearing, when the Department is aware of the number of individuals who wish to provide verbal comments at each hearing. The hearing agendas will provide the order of presentation, as well as specify the amount of time allotted to each commentator.

Hearing agendas will be posted under Charter School Applications on the Department's web site at <https://www.education.pa.gov/K-12/Charter%20Schools/Pages/Charter-Applications.aspx>.

For questions regarding these hearings, contact the Division at [ra-charterschools@pa.gov](mailto:ra-charterschools@pa.gov).

DR. KHALID N. MUMIN,  
*Secretary*

[Pa.B. Doc. No. 23-1330. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Index Calculation Required by Special Session Act 1 of 2006

Under section 333(1) of the Taxpayer Relief Act (53 P.S. § 6926.333(1)), the Department of Education (Department) has calculated the index for Fiscal Year (FY) 2024-2025.

The index is the average of the percentage increase in the Statewide average weekly wage and the Employment Cost Index. For FY 2024-2025, the base index is 5.3%.

For school districts with a market value/income aid ratio greater than 0.4000, an adjusted index will be posted on the Department's web site at [www.education.pa.gov](http://www.education.pa.gov) by September 30, 2023.

DR. KHALID N. MUMIN,  
*Secretary*

[Pa.B. Doc. No. 23-1331. Filed for public inspection September 29, 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](http://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](http://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](http://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](http://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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2599420	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Edinboro Borough Municipal Authority 124 Meadville Street Edinboro, PA 16412-2502	Edinboro Borough Erie County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6505411	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Greater Greensburg City Sewer Authority 210 W Otterman Street P.O. Box 248 Greensburg, PA 15601-2225	Hempfield Township Westmoreland County	SWRO
PA0101320	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Freedom First Rentals LLC P.O. Box 5205 Conneaut Lake, PA 16316-5205	Oil Creek Township Crawford County	NWRO
2071401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Freedom First Rentals LLC P.O. Box 5205 Conneaut Lake, PA 16316-5205	Oil Creek Township Crawford County	NWRO
NOEXNC182	No Exposure Certification	New	Bestway Service Garage Inc. P.O. Box 614 Milesburg, PA 16853-0614	Boggs Township Centre County	NCRO
NOEXNW098	No Exposure Certification	Renewal	Samuel Son & Co. USA Inc. 6 Whitney Drive Harmony, PA 16037-7748	Harmony Borough Butler County	NWRO
NOEXNW173	No Exposure Certification	Renewal	Crawford County Region Airport Authority P.O. Box 1011 Meadville, PA 16335-7011	Vernon Township Crawford County	NWRO
NOEXSW245	No Exposure Certification	New	PBM Inc. 1070 Sandy Hill Road Irwin, PA 15642-4747	Penn Township Westmoreland County	SWRO
PAG030297	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	XPO Logistics Freight Inc. 2211 Old Earhart Road Suite 100 Ann Arbor, MI 48105-2963	Upper Merion Township Montgomery County	SERO
PAG032286	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	5K Stone LLC 474 Bell Mt Road Greenfield Twp, PA 18407	Harford Township Susquehanna County	NERO
PAG036474	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Andritz Metals USA Inc. P.O. Box 335 Youngstown, PA 15696-0335	Harmony Township Beaver County	SWRO
PAG036475	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Andritz Metals USA Inc. P.O. Box 335 Youngstown, PA 15696-0335	Conway Borough Beaver County	SWRO
PAG036552	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	MLP Steel LLC 18 Mount Pleasant Road Scottdale, PA 15683-1208	Scottdale Borough Westmoreland County	SWRO
PAG038468	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Marion Center Supply Inc. 517 Church Street P.O. Box 173 Marion Center, PA 15759-0173	Armstrong Township Indiana County	NWRO
PAG038581	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FXI Inc. 466 S Shady Avenue Corry, PA 16407-2043	Corry City Erie County	NWRO
PAG038603	PAG-03 NPDES General Permit for Industrial Stormwater	New	Ward Trucking LLC P.O. Box 1553 Altoona, PA 16603-1553	Barkeyville Borough Venango County	NWRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG053608	PAG-05 NPDES General Permit for Groundwater Cleanup	New	Mallows Service Center Inc. 311 E 25th Avenue Altoona, PA 16601-4027	Altoona City Blair County	SCRO
1023413	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Mark Kosick 266 Roenigk Road Boyers, PA 16020-1318	Slippery Rock Township Butler County	NWRO
2523425	Single Residence Sewage Treatment Plant Individual WQM Permit	New	David & Heather Defazio 2506 Deer Run Trail Erie, PA 16509-5676	Greene Township, Erie County	NWRO
4323415	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kusich George 382 Fredonia Road Greenville, PA 16125-9755	Hempfield Township Mercer County	NWRO

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

### *Northwest Regional Office*

**PA0295272**, Sewage, SIC Code 8800, **Michael K Anderson**, 213 Deerfield Lane, Tidioute, PA 16351-6625. Facility Name: Michael Anderson SRSTP. This proposed facility is located in Deerfield Township, **Warren County**.

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

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

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

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

**PA0295281**, Sewage, SIC Code 8800, **Marjorie Bardwell**, 2839 Hershey Road, Erie, PA 16506-5002. Facility Name: Marjorie Bardwell SRSTP. This proposed facility is located in Summit 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 of Walnut 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.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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*

**PA0295302**, Sewage, SIC Code 8800, **Gary Mueller**, 395 Vernon Road, Greenville, PA 16125-9256. Facility Name: Gary Mueller SRSTP. This proposed facility is located in West Salem 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 Big Run (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 .0005 MGD.—Limits.

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

*Southcentral Regional Office*

**PA0082881**, Industrial, SIC Code 4959, **Howmet Aerospace Inc.**, 201 Isabella Street, Pittsburgh, PA 15212-5872. Facility Name: Howmet Aerospace Former ALCOA Lancaster Works. This existing facility is located in Lancaster City, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Little Conestoga Creek (WWF, MF), is located in State Water Plan watershed 7-J 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 0.42 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Tetrachloroethylene Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Tetrachloroethylene Trichloroethylene Industrial Influent	XXX	XXX	XXX	0.0225	0.035	0.056
Trichloroethylene Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Trichloroethylene	XXX	XXX	XXX	0.0014	0.0021	0.0034

The proposed effluent limits for Outfall 002 are based on a design flow of 0.42 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 XXX	6.0 Daily Min	XXX	9.0	XXX
Tetrachloroethylene	XXX	XXX	XXX	0.0225	0.035	0.056
Tetrachloroethylene Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX
Trichloroethylene	XXX	XXX	XXX	0.0014	0.0021	0.0034
Trichloroethylene Industrial Influent	XXX	XXX	XXX	XXX	Report	XXX

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

#### I. Other Requirements

- Separate sampling for Outfalls 001 and 002 is not required. Samples taken from the discharge from the treatment facilities will be acceptable for both Outfalls 001 and 002.
- Should the permittee decide to permanently cease discharging as permitted, it shall notify DEP in writing at least 60 days prior to the planned cessation of the discharge. DEP reserves all rights under law to thereafter order the continued treatment and discharge in accordance with this or any other applicable permit, or at any time after the reissuance of this permit to modify the permit, in accordance with the requirements of law and regulation for permit modification, for the purpose of protecting groundwater or surface waters or the environment otherwise, including, without limitation, to incorporate in-ground cleanup levels for the parameters permitted herein and hereafter established by DEP. The permittee reserves all rights under law to challenge any such action by DEP.

#### II. Groundwater Cleanup—Air Stripper

- There shall be no discharge of stripper tower cleaning wastewaters to waters of the Commonwealth. Cleaning wastewaters shall be discharged to the sanitary sewer or hauled off site for proper disposal.
- Summary reports providing groundwater quality data from quarterly events, semiannual water table elevation maps, and a narrative discussion including tables and maps shall be submitted annually to the Environmental Cleanup Program, on the anniversary date of this permit. The narrative report shall evaluate the overall operation of the system demonstrating its effectiveness in containing and remediating the contaminant plume. If modification to the operation is proposed, details must be submitted in the report.
- A Groundwater Remediation System (GRS) Annual Report shall be submitted annually to the Clean Water Program on January 28 (for the previous calendar year). The GRS Annual Report shall address activities under the permit for the previous calendar year including groundwater quality data. If modification to the operation is proposed, details must be submitted along with the GRS Annual 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*

**PA0265926**, Concentrated Animal Feeding Operation (CAFO), **Penn England LLC (Penn England Dilling Farm CAFO)**, 10341 Fox Run Road, Williamsburg, PA 16693-6713.

Penn England LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Penn England Dilling Farm CAFO, located in Catharine Township, **Blair County**.

The CAFO is situated near Unnamed Tributary to Frankstown Branch Juniata River (WWF, MF) and Unnamed Tributary to Clover Creek (HQ-CWF, MF) in Watershed 11-A, which is classified for High Quality—Cold Water, Migratory Fish, Warm Water Fishes, and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 4,410.7 animal equivalent units (AEUs) consisting of 30 beef bulls, 2,125 mature dairy cows, 965 dairy heifers, 796 dairy calves, and 10 grow finish pigs. Manure is stored in 5 earthen lagoons, 1 HDPE lagoon, 7 concrete tanks, a digester, and a stacking area. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

*Southcentral Regional Office*

**PA0294136**, Storm Water, SIC Code 3845, **Philips Ultrasound**, 1 Echo Drive, Reedsville, PA 17084-8603. Facility Name: Philips Ultrasound. This proposed facility is located in Armagh Township, **Mifflin County**.

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

The receiving stream(s), Unnamed Tributary of Tea Creek (HQ-CWF, MF), is located in State Water Plan watershed 12-A and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 002:

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

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs), including applicable BMPs from Appendix J from the PAG-03 (effective 3/24/2023)
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmarks for TSS, Oil and Grease, COD, pH)
- Other Requirements

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0217786**, Sewage, SIC Code 4952, **New Eagle Borough Municipal Sewer Authority**, 157 Main Street, New Eagle, PA 15067-1145. Facility Name: New Eagle Borough STP. This existing facility is located in New Eagle Borough, **Washington 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), Monongahela River (WWF), is located in State Water Plan watershed 19-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 0.8 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.8 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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	165	265	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent Total Suspended Solids	200	300	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen	XXX	Report Avg Mo	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

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

#### *Southeast Regional Office*

Applicant: **City of Philadelphia, DOA**

Applicant Address: Planning and Environmental Services, PHL Terminal D, 3rd Floor, Philadelphia, PA 19153

Application Number: **PAD510010 A-7**

Application Type: Major Amendment

Municipality/County: City of Philadelphia, **Philadelphia County**

Project Site Name: PNE TW L Rehabilitation Pkg. 2

Total Earth Disturbance Area (acres): 15.33 acres

Surface Waters Receiving Stormwater Discharges: Walton Run to Poquessing Creek (WWF-MF) Wooden Bridge Run tributary to Pennypack Creek (TSF)

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: The project consists of the rehabilitation of an existing paved taxiway.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

#### *Northeast Regional Office*

Applicant: **Lehigh Northampton Airport Authority, c/o Thomas Stoudt**

Applicant Address: 3311 Airport Road, Allentown, PA 18109

Application Number: **PAD390276**

Application Type: New

Municipality/County: City of Allentown, **Lehigh County**

Project Site Name: Airfield Lighting and Electrical Vault at Queen City Airport

Total Earth Disturbance Area (acres): 3.20 acres

Surface Waters Receiving Stormwater Discharges: UNT to Little Lehigh Creek (HQ-CWF, MF)

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:** The proposed project is the Airfield Lighting & Electric Vault to rehabilitate the runway lighting system at Queen City Airport. No additional pavement is proposed. This work is considered a “restoration” plan as it pertains to NPDES permitting.

**Special Conditions:** N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP’s File Review Coordinator at 570-826-5472.

*Northeast Regional Office*

**Applicant:** **Paul F. Miller II**

**Applicant Address:** 9803 Kunkels Mill Road, Kempton, PA 19529-8728

**Application Number:** **PAD390272**

**Application Type:** New

**Municipality/County:** Lynn Township, Albany Township, **Lehigh County, Berks County**

**Project Site Name:** Miller Residence

**Total Earth Disturbance Area (acres):** 2.92 acres

**Surface Waters Receiving Stormwater Discharges:** UNT to Stony Run (HQ-CWF, MF)

**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:** Construction of a single family detached residential structure, detached garage, pool/house and associated lot improvements. The NPDES permit boundary and limits of disturbance are wholly located within Lehigh County.

**Special Conditions:** N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP’s File Review Coordinator at 570-826-5472.

*Northeast Regional Office*

**Applicant:** **Butler West Partners, LLC**

**Applicant Address:** 833 Scranton-Carbondale Highway, Dickson City, PA 18508

**Application Number:** **PAD400066**

**Application Type:** New

**Municipality/County:** Butler Township, **Luzerne County.**

**Project Site Name:** The Howard at Butler

**Total Earth Disturbance Area (acres):** 10.6 acres

**Surface Waters Receiving Stormwater Discharges:** 1. UNT to Little Nescopeck Creek (CWF, MF); 2. Exceptional Value Wetlands

**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:** This project consists of the development of a 22.16-acre parcel of land located on the south side of West Butler Drive and along the west side of SR 309 in Butler Township, Luzerne County. The permit applicant and owner of this property is Dynamic Capital Properties (DCP), LLC. Jay Cooperman is managing partner of DCP, LLC. Mr. Cooperman wishes to develop this property as a luxury rental community with up to eight (8) separate buildings. Seven (7) of these buildings will be apartment buildings and the eighth building will be an office/clubhouse building for general community use. There are two sizes of apartment buildings. Both versions would be three stories high. One type of apartment building would be 225 feet long by 72 feet wide (16,200 square feet) and contain 36 apartment units. Up to three (3) of these buildings are proposed. The other size apartment building would be 150 feet long by 72 feet wide (10,800 square feet) and contain 24 apartment units. The plan proposes for up to three (3) of these size apartment buildings. The office/clubhouse building will be a single-story building with approximate dimensions of 64 feet by 54.3 feet (10,800 square feet).

**Special Conditions:** N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP’s File Review Coordinator at 570-826-5472.

*Northeast Regional Office*

Applicant: **Stonegate Holdings, LLC**

Applicant Address: 294 Ski Run Road, Honesdale, PA 18431

Application Number: **PAD640043**

Application Type: New

Municipality/County: Cherry Ridge Township, **Wayne County**

Project Site Name: Stonegate Holdings SR 191

Total Earth Disturbance Area (acres): 7.43 acres

Surface Waters Receiving Stormwater Discharges: UNT to Middle Creek (HQ-CWF, MF)

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: The project involves the construction of a single-family dwelling, gravel driveway and stormwater management facilities.

Special Conditions: N/A—No site-specific special conditions proposed.

You may review the permit application file by contacting DEP's File Review Coordinator at 570-826-5472.

*Southeast Regional Office*

Applicant: **D.R. Horton**

Applicant Address: 2060 Detwiler Road, Suite 103, Harleysville, PA 19438

Application Number: **PAD150295**

Application Type: New

Municipality/County: West Caln Township, **Chester County**

Project Site Name: Calnshire

Total Earth Disturbance Area (acres): 14.54 acres

Surface Waters Receiving Stormwater Discharges: UNT to Birch Run (HQ-CWF, MF)

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: This project proposes new single-family houses within a pre-existing residential development.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 484-250-5910.

*Regional Permit Coordination Office*

Applicant: **Pennsylvania Turnpike Commission**

Applicant Address: 700 S. Eisenhower Blvd, Middletown, PA 17057

Application Number: **PAD150187 A-2**

Application Type: Major Amendment

Municipality/County: West Nantmeal Township, **Chester County**

Project Site Name: Replacement of Bridge EB 704 at Milepost 302.81 (Bulltown Road)

Total Earth Disturbance Area (acres): 27.46 acres

Surface Waters Receiving Stormwater Discharges: Tributary to French Creek (EV, MF); Tributary to Marsh Creek (HQ-TSF, MF)

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: This NPDES Permit Major Amendment includes the retrofit of both infiltration basins due to high groundwater observations and low infiltration rates (supplemental test performed in February 2023). The westbound retrofitted basin is designed as a bioretention basin managed release concept (MRC) BMP. The eastbound retrofitted basin is designed as a dry extended detention basin. As part of this permit amendment, E&S measures have been added to the Salt Shed construction area for construction anticipated to begin in the Fall of 2023. There are no changes to the stormwater management design for this area.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-772-5987.

*Southcentral Regional Office*

Applicant: **PPL Electric Utilities Corporation**

Applicant Address: 827 Hausman Road, GENN4, Allentown, PA 18104

Application Number: **PA060001D**

Application Type: New

Municipality/County: Heidelberg Township, South Heidelberg Township, Spring Township, Robesonia Borough, Sinking Spring Borough, and Wernersville Borough, **Berks County**

Project Site Name: Berks-Lavino

Total Earth Disturbance Area (acres): 139.1 acres

Surface Waters Receiving Stormwater Discharges: Cacoosing Creek (CWF, MF), Tulpehocken Creek (WWF, MF), UNT to Tulpehocken Creek (HQ-CWF, MF)

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: PPL Electric Utilities Corporation (PPL EU) intends to rebuild the existing transmission line to address reliability and operability issues on the subject transmission system. The line traverses 10.80 miles through residential, forested, meadow, agricultural and utility areas.

Special Conditions: N/A

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

*Southcentral Regional Office*

Applicant: **McKinley Avenue Partners, LLC**

Applicant Address: 120 North Pointe Boulevard, Suite 301, Lancaster, PA 17601

Application Number: **PAD360102**

Application Type: New

Municipality/County: Lancaster City and Manheim Township, **Lancaster County**

Project Site Name: 1061 Manheim Pike/1111 Mckinley Ave, LDP

Total Earth Disturbance Area (acres): 3.10 acres

Surface Waters Receiving Stormwater Discharges: UNT to Little Conestoga Creek

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: Development of a one-story 33,022 SF building with associated parking lot.

Special Conditions: N/A

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

*Southcentral Regional Office*

Applicant: **Martin Florez**

Applicant Address: 9525 Sleepy Hollow Lane, Breiningsville, PA 18031

Application Number: **PAD060067**

Application Type: New

Municipality/County: Maxatawny Township, **Berks County**



Project Site Name: Florez Trucking Subdivision & Land Development

Total Earth Disturbance Area (acres): 2.99 acres

Surface Waters Receiving Stormwater Discharges: Schaefer Run (HQ-CWF-MF)

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: Florez Trucking is proposing to subdivide a 3.61-acre lot and develop it into a commercial property. 23 passenger car and 13 truck loading parking spaces area proposed for the site. Also proposed area access drives, an infiltration bed, and a gravel parking area. The site currently has two existing buildings and a parking lot. An infiltration bed will be constructed at the southeast corner of the site to manage the proposed site stormwater. Approximately 2.99 acres will be disturbed as a result of the development.

Special Conditions: N/A

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

*Southcentral Regional Office*

Applicant: **Lobar Associates, Inc.**

Applicant Address: 4 Barlo Circle, Dillsburg, PA 17019

Application Number: **PAD670079**

Application Type: New

Municipality/County: Carroll Township, **York County**

Project Site Name: Lobar Fill Site

Total Earth Disturbance Area (acres): 3.70 acres

Surface Waters Receiving Stormwater Discharges: Dogwood Run (CWF, MF) via EV Wetlands

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: Fill Site.

Special Conditions: N/A

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

## **STATE CONSERVATION COMMISSION**

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Glenville Farms, LLC 2100 Glenville Road Cochranville, PA 19330	Chester County	377.8	2,972.5	Dairy	NA	New
Cedar Hill Poultry— Mrakovich & Sweitzer 120 Harbold Altland Road Wellsville, PA 17365	York County	19.5	417.44	Broilers	NA	Renewal
Barrick's Dairy LLC 2653 Walnut Bottom Road Carlisle, PA 17015	Cumberland County	982.66	1,595.44	Milking and Dry Cows Heifers Calves Steers Nursery Pigs	NA	Renewal
Farm Fresh Egg Products, LLC 220 Eby Chiques Road Mount Joy, PA 17552	Lancaster County	84.5	2,480.6	Layers	NA	New
Jeff Rohrer 275 Naftzingertown Road Mohrsville, PA 19541	Berks County	42.5	1,396.07	Swine Poultry Beef	NA	Renewal

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

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

**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*

**Slusser Site**, Primary Facility ID # **869414**, 50 Slusser Lane, Sugarloaf, PA 18249, Sugarloaf Township, **Luzerne County**. Pennoni Associates, 1900 Market Street, Philadelphia, PA 19103 on behalf of JVI, LLC, 1265 Miller Road, Wind Gap, PA 18091, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated with metals, volatile organic chemicals, and semi-volatile organic chemicals from historic site operations. The Notice of Intent to Remediate was published in *The Standard Speaker* on August 31, 2023. Application received: September 14, 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.*

**2460 New Holland Pike**, Primary Facility ID # **869304**, 2460 New Holland Pike, Lancaster, PA 17601, Upper Leacock Township, **Lancaster County**. Rettew Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603 on behalf of Leacock New Holland Real Estate, Inc., 2425 New Holland Pike, Mail Station G-200, Lancaster, PA 17601-5946, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate groundwater contaminated with petroleum products. The site will be remediated to the Statewide health standard. Future use of the site will be nonresidential for commercial use. The Notice of Intent to Remediate was published in *LNP Media Group, Inc.* on August 15, 2023. Application received: August 24, 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.*

**9 Albert Street**, Primary Facility ID # **866206**, 9 Albert Street, Feasterville-Trevese, PA 19053, Lower Southampton Township, **Bucks County**. Tim Moffitt, Trident Environmental, 1856 Route 9, Toms River, NJ 08755 on behalf of Elvin Minnich, 9 Albert Street, Feasterville-Trevese, PA 19053, submitted a Notice of Intent to Remediate. The NIR states the site is a residential property where a discharge of No. 2 fuel oil has impacted soil. The proposed cleanup standard for the site is the Statewide health standard. The property is in residential use and will continue to be used as such. The Notice of Intent to Remediate was published in *Lower Bucks Times* on August 30, 2023. Application received: August 18, 2023.

**2045 West Hunting Park Avenue**, Primary Facility ID # **841642**, 2023-2061 West Hunting Park Avenue, Philadelphia, PA 19140, City of Philadelphia, **Philadelphia County**. David G. Sherman, PG, Geosyntec Consultants, Inc., 930 Harvest Drive, Suite 220, Blue Bell, PA 19422 on behalf of Joseph Lang, GPI Interim, Inc., 70 Mechanic Street, C41-32, Foxboro, MA 02035, submitted a Notice of Intent to Remediate. Groundwater at the site has been found to be contaminated with chlorinated solvents. The proposed future use of the property will be restricted to nonresidential via an Environmental Covenant. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in *Philadelphia Inquirer* on August 2, 2023. Application received: August 18, 2023.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

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

### PLAN APPROVALS

**Application(s) Received for Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B That May Have Special Public Interest. These Plan Approval Applications are in Review and No Decision on Disposition Has Been Reached.**

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

*Contact: Shailesh Patel, Air Quality Engineer, 570-826-2341.*

**54-00100A: JW Zaprazny**, 2401 Summer Valley Road, New Ringgold, PA 17960, East Brunswick Township, **Schuylkill County**. Application received: July 25, 2023. For the construction and operation of a facility to turn end of life vehicles (ELV) into scrap metal at the facility to be located in East Brunswick Township, Schuylkill County.

### 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.*

**09-0126D: Air Liquide Electronics US LP**, 19 Steel Road West, Morrisville, PA 19067, Falls Township, **Bucks County**. Application received: July 29, 2023. This plan approval is for the installation and operation of processes undergoing expansion at their gas repackaging facility. Sources consist of One (1) Dichlorosilane (DCS) Process (Chloride Gases) and One (1) Silane Process (Pyrophoric Gases). The primary pollutants of concern are Toxic Compounds (Dichlorosilane and Silane); Dichlorosilane emissions are estimated to be: 0.23 pound per year, and Silane emissions are estimated to be 0.61 pound per year. The plan approval includes monitoring, recordkeeping and reporting requirements designed to address 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.

*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.*

*Correction—previously published on September 23, 2023.*

**PA-65-00840: Eastern Gas Transmission and Storage, Inc.**, 267 McIlvaine Road, Greensburg, PA 15601, Hempfield Township, **Westmoreland County**. Application received: December 19, 2022.

Pursuant to 25 Pa. Code §§ 127.44—127.46 for intent to issue Air Quality plan approval for authorization to construct and temporarily operate sources associated with the South Oakford Compressor Station, a Title V facility in Hempfield Township, Westmoreland County.

The proposed project will add Selective Catalytic Reduction (SCR) units to each of two compressor engines, in order to achieve the presumptive RACT III requirements for each engine. The addition of the SCR will result in a reduction of NO<sub>x</sub> emissions from this existing facility.

Presumptive RACT III conditions are included in the plan approval for the other equipment at the compressor station as needed, including one natural gas-fired boiler, one glycol dehydration unit, one produced fluids tank, one parts washer, four compressors driven by the two compressor engines, one auxiliary generator, and fugitive emissions sources.

After the completion of the project, the facility will be limited to 78.5 tons/12-consecutive month period (12-cmp) of NO<sub>x</sub>, 159 tons/12-cmp of CO, 15.5 tons/12-cmp of PM<sub>10</sub>, 15.5 tons/12-cmp of PM<sub>2.5</sub>, 0.5 ton/12-cmp of SO<sub>x</sub>, 66 tons/12-cmp of VOC, 22.5 tons/12-cmp of formaldehyde, and 31.5 tons/12-cmp total HAPs.

The proposed project is subject to and has been conditioned to ensure compliance with all applicable requirements specified in 25 Pa. Code and 40 CFR Part 60 and includes emissions restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. The project does not trigger the requirements of 40 CFR 52.21 related to Prevention of Significant Deterioration (PSD), or those of 25 Pa. Code Chapter 127, Subchapter E related to Nonattainment New Source Review (NSR).

The plan approval application, the Department's Air Quality review memorandum, and the proposed Air Quality plan approval for the proposed project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To schedule an appointment to review the Air Quality plan approval application or proposed Air Quality plan approval, or to receive an electronic copy of the Department's Air Quality review memorandum or the proposed Air Quality plan approval for the proposed project, a person may contact the Department's Southwest Regional Office File Review Coordinator at 412.442.4000.

**Public hearing.** A public hearing will be held on October 31, 2023, from 10:00 to 11:00 a.m. at the DEP Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To register to speak at a hearing, or to inquire if a hearing will be held, please contact Thomas Joseph at 412.442.4336. The last day to pre-register to speak at the hearing will be October 27, 2023. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <https://www.dep.pa.gov/About/Regional/SouthwestRegion/Community%20Information/Pages/default.aspx>.

We ask that you contact Thomas Joseph at 412-442-4336 or monitor our website to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Thomas Joseph at 412-442-4336 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Mark Gorog, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

Persons wishing to file a written protest or provide comments or additional information may submit the information to Mark Gorog, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A 30-day comment period from September 20, 2023 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 RACT III Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to the RACT III Plan or the operating permit modification.

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations

to do so should contact Lauren Camarda at 412-442-4203 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

## 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.

*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.*

**15-00105, Buckeye Pipeline/Malvern Station, 8 S Malin Rd, Malvern, PA 19355, East Whiteland Township, Chester County.** Application received: August 9, 2022. Renewal of Title V permit 15-00105 for Buckeye Pipeline Malvern Station. The facility is a bulk storage and breakout terminal for gasoline, ethanol and petroleum distillates. It is co-located with Buckeye's Malvern Terminal and emissions from both facilities are aggregated for regulatory purposes. The facility is required by regulation to possess a Title V permit even though emissions are under the Title V threshold. The station consists of eleven (11) active storage tanks, one (1) inactive storage tank and a sump tank used only for spill containment. Emissions are control via gaskets, seals, bolted hatches and restrictions on vapor pressure of liquids stored. No other controls are used. Site wide emissions for 2022 were 4.7227 tons per year (tpy) VOCs and 0.1719 tpy of all HAPs combined. Conditions included in the permit dictate inspection and maintenance of tanks; installation and maintenance of regulatory required equipment; calculation and recording of emissions; and maintaining records of inspections and repairs. The facility is subject also to semi-annual reporting. 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 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.*

**08-00046, Urban Personalization Center, LLC, 225 South Main Street, Athens, PA 18810, Athens Borough, Bradford County.** Application received: May 15, 2023. The Department intends to issue a State Only (Natural Minor) Operating Permit for the Athens crematory facility. The facility is currently operating under State Only Operating Permit 08-00046. The facility's sources include a 150-pound per human crematorium. The facility has potential emissions of 0.49 ton per year of nitrogen oxides, 1.64 tons per year of carbon monoxide, 0.41 ton per year of sulfur oxides, 1.15 tons per year of particulate matter and 0.49 ton per year of volatile organic compounds. The emission limits, throughput limitations 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. 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.

**12-00009, Embassy Powdered Metals, Inc.**, 513 E. Second Street, Emporium, PA 15834, Emporium Borough, **Cameron County**. Application received: February 17, 2023. The Department intends to issue a renewal State Only Operating Permit for the Emporium Plant. The facility is currently operating under State Only Operating Permit 12-00009. The facility's main sources include seven powdered metals sintering furnaces, oil impregnation units, six sizing presses, various gas-fired heaters, and a machine shop. The facility has potential emissions of 0.68 TPY of CO; 0.43 TPY of NO<sub>x</sub>; 0.001 TPY of SO<sub>x</sub>; 4.68 TPY of PM/PM<sub>10</sub>; 25.04 TPY of VOCs; 0.01 TPY of HAPs and 976 TPY of CO<sub>2e</sub>. 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. 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.

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

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

**40-00099, H & K Group Inc.**, 2052 Lucon Rd, P.O. Box 1467, Skippack, PA 19474, Lehman Township, **Luzerne County**. Application received: August 11, 2023. The Department intends to issue a renewal State-Only Operating Permit for their units: batch asphalt plant, RAP jaw crusher, and an above ground storage tank. The units also include a baghouse and RAP fabric collector as control devices. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**20-00303, Crawford Ctl Sch Dist/Biomass Dist Heating Plt**, 11280 Mercer Pike, Meadville, PA 16335-6260, City of Meadville, **Crawford County**. Application received: October 25, 2022. The Department intends to issue the renewal State Only Natural Minor Operating Permit for the Middle and High School located in the City of Meadville, Crawford County. The facility's primary emission sources include the 9.5 mmBtu/hr biomass combustion unit, three natural gas-fired hot water boilers,

miscellaneous natural gas usage, and an emergency generator. The potential emissions of the primary pollutants from the facility after permit limitations are as follows: 21.95 TPY NO<sub>x</sub>, 9.68 TPY CO, 1.42 TPY VOC, 3.55 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, and 1.26 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The biomass boiler is subject to 40 CFR Part 63, Subpart JJJJJJ, NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources. The emergency generator is not subject to 40 CFR Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines, due to the exemption criteria in § 63.6585(f)(3), which includes institutions. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

*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.*

**28-05020, T.B. Woods, Inc.**, 440 North 5th Avenue, Chambersburg, PA 17201, Chambersburg Borough, **Franklin County**. Application received: December 22, 2022. To issue a State Only Operating Permit for the grey iron foundry. 2022 actual emissions at the facility were reported to be the following: CO—2.62 tpy, NO<sub>x</sub>—3.17 tpy, PM<sub>10</sub>—59.71 tpy, SO<sub>2</sub>—0.13 tpy, VOC—17.64 tpy, total HAPs—5.41 tpy. The facility will comply with synthetic minor emission limits to remain permitted under a State-Only Operating Permit. 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 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and Subpart ZZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources.

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

**06-03054, Martin Stone Quarries Inc.**, 1355 North Reading Avenue, Bechtelsville, PA 19505, Colebrookdale Township, **Berks County**. Application received: June 14, 2023. To issue a State Only Operating Permit for the quarry. The potential emissions from the facility are estimated at 57.7 tpy of NO<sub>x</sub>, 21.1 tpy of CO, 36.4 tpy of PM<sub>10</sub>, 4.1 tpy of SO<sub>x</sub> and 8.4 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 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants and 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

**06-03190, Thermotec, LLC**, 7 Hill Drive, Hamburg, PA 19526, Tilden Township, **Berks County**. Application received: May 13, 2022. To issue a State Only Operating Permit for their riser mixing sleeve operation. The facility potential emissions are 3.94 tons per year of particulate (i.e., consisting of ceramic fibers and starch). The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and re-

porting requirements to ensure the facility complies with the applicable air quality regulations.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19001, 484-250-5900.*

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

**09-00154, Bucks County Water & Sewer Authority—Old Dublin Pike Pump Station**, Old Dublin Pike and Pine Run Road, Doylestown, PA 18901, Doylestown Borough, **Bucks County**. Application received: July 25, 2023. This action is for the renewal of a Non-Title V Facility, State-Only, Natural Minor Permit for their sewage treatment plant located at Pine Run Road and Old Dublin Pike. The sources of emissions include an emergency generator and the Hydrogen Sulfide odors from wet well that is controlled by a scrubber. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations. 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.

**09-00164, Naceville Materials Joint Venture—H&K Materials/Skunk Hollow Quarry**, 300 Skunk Hollow Road, Chalfont, PA 19814, Hilltown Township, **Bucks County**. Application received: April 19, 2022. This action is for the renewal of a State Only (Natural Minor) Operating Permit for the nonmetallic mineral processing plant. The nonmetallic mineral processing plant produces crushed argillite stone for use in hot mix asphalt (i.e., in the batch asphalt plant at the facility, which is permitted separately under State Only Operating Permit (SOOP) No. 09-00048), ready-mix concrete, drainage applications, and general use. The nonmetallic mineral processing plant is comprised of three crushers, two screens, and 17 associated belt conveyors, and is equipped with a water spray dust suppression system to minimize particulate matter (PM) emissions. Based on the rated processing capacities of the equipment of the nonmetallic mineral processing plant and use of the water spray dust suppression system, the (controlled) potentials to emit PM, PM less than 10  $\mu\text{m}$  in aerodynamic diameter ( $\text{PM}_{10}$ ), and PM less than 2.5  $\mu\text{m}$  in aerodynamic diameter ( $\text{PM}_{2.5}$ ) for the nonmetallic mineral processing plant are 18.67 tons/yr, 6.79 tons/yr, and 1.21 tons/yr, respectively. Since DEP last renewed/amended the SOOP in November 2017, the only physical change that has occurred with the nonmetallic mineral processing plant at the facility is the replacement of the secondary crusher (Source ID 102—102B). The nonmetallic mineral processing plant is subject to all applicable provisions of the Federal Standards of Performance for Nonmetallic Mineral Processing Plants [40 CFR 60, Subpart 000]. The SOOP renewal will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person previously listed in the header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**46-00255, Schumacher & Benner Funeral Home & Crematory**, 359 King St, Pottstown, PA 19464, Pottstown Borough, **Montgomery County**. Application received: May 3, 2023. This action is for the renewal of a

State Only Operating Permit for the operation of a natural gas-fired crematory unit for human remains. Air emissions are controlled by a secondary chamber/afterburner. The source has the following potential emissions, in tons per year (TPY) and are based on 8,760 hours per year:  $\text{NO}_x$  = 0.99 TPY, CO = 3.29 TPY, VOC = 0.99 TPY,  $\text{SO}_2$  = 0.82 TPY, and PM = 2.30 TPY. There have been no physical changes or modifications made to the unit since the permit was last issued in 2019. The facility is categorized as a natural minor facility based on its potential emissions. The permit includes monitoring, recordkeeping and reporting requirements to address 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.

**23-00095, Entegris, Inc.**, 800 W Front Street, Chester, PA 19013, City of Chester, **Delaware County**. Application received: April 27, 2022. This action is for the operation renewal of a State Only Operating Permit for the operation of a chemical manufacturing facility. The facility previously operated as a Natural Minor for all criteria pollutants. However, the facility has elected to take a 25-tons per year emissions limit for volatile organic compound (VOC), due to the variability of the production operations and to ensure that the emissions from the facility remains below the major thresholds. The facility will be reclassified as a Synthetic Minor for VOC and an area source for hazardous air pollutants (HAP). The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-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 sum-

mary 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.*

**Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Aleppo and Richhill Townships, Greene County.** To revise the permit and related NPDES permit to install two (2) degas boreholes; affecting 8.3 proposed surface acres. Application received: August 10, 2023. Accepted: September 11, 2023.

**Mining Permit No. 30841602. NPDES No. PA0215562. Duquesne Light Company, 1800 Seymour Street, Pittsburgh, PA 15233, Monongahela Township, Greene County.** To revise the permit and related NPDES permit for streambank rehabilitation and incidental boundary correction. Application received: June 15, 2023. Accepted: September 5, 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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l

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

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

*Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambria@pa.gov.*

**Mining Permit No. 11130301. NPDES No. PA0269255. New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Jackson Township, Cambria County.** Renewal of NPDES permit affecting 206 acres. Receiving stream: unnamed tributary to Bracken Run classified for the following use: CWF. Application received: September 15, 2023.

**Mining Permit No. 44930301. NPDES No. PA0595985. Glenn O. Hawbaker, Inc., 1952 Waddle Road, Suite 203, State College, PA 16802, Armagh Township, Mifflin County.** Renewal of NPDES permit affecting 173.8 acres. Receiving stream: unnamed tributary to Honey Creek, classified for the following use: HQ-CWF. Application received: September 19, 2023.



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

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

**Mining Permit No. 20800302. NPDES No. PA0280551. L. R. Glover Gravel**, 2188 Strong Road, Waterford, PA 16441, Bloomfield Township, **Crawford County**. Renewal of an NPDES permit. Application received: September 15, 2023.

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 6774SM1. NPDES No. PA0594695. National Limestone Quarry, Inc.**, 3499 Quarry Road, Middleburg, PA 17842, Perry Township, **Snyder County**. A depth revision application to the final permitted pit floor elevation for the large industrial mineral permit affecting 87.75 acres. The final pit floor elevation is proposed to be lowered from 650 feet MSL to 600 feet MSL. Receiving stream(s): North Branch Mahantango Creek classified for the following use(s): TSE, MF. Application received: September 7, 2023. Accepted: September 11, 2023.

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

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

**Mining Permit No. 26980601. NPDES No. PA0202193. Heidelberg Materials Northeast LLC**, 2200 Springfield Pike, Connellsville, PA 15425-9503, Bullsken Township, **Fayette County**. Renewal application received for continued mining of an existing large noncoal mine, affecting 808.1 surface acres and 434.4 underground acres. Receiving streams: Unnamed tributaries to Polecat Hollow Run, Unnamed tributaries to Breakneck Run and Breakneck Run. Application received: September 18, 2023.

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 64080301. NPDES Permit No. PA0224693. H & K Group, Inc.**, P.O. Box 196, Skippack, PA 19474, Palmyra Township, **Wayne County**. Renew NPDES Permit on a quarry operation affecting 79.2 acres. Receiving stream: UNT to Lake Wallenpaupack, classified for the following use: HQ-CWF. Application received: September 11, 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:

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

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

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

##### *Effluent Limits for Noncoal Mining Activities*

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

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

*Coal NPDES Draft Permits*

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

*Contact: Melanie Ford-Wigfield, 814-472-1900, ra-epcambria@pa.gov.*

**NPDES No. PA0269085. Mining Permit No. 11120202. Maple Coal Company**, 1501 Ligonier Street, Latrobe, PA 15650, Barr & Blacklick Townships, **Cambria County**. Renewal of NPDES permit affecting 48 acres related to a coal mining activity permit. Receiving stream: Elk Creek, classified for the following use: CWF. The receiving streams are included in the Kiski-Conemaugh TMDL. Application received: July 11, 2023.

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

The following outfalls discharge to Elk Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Stormwater	Precipitation Induced
002	Existing	Treatment	Precipitation Induced

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	2.0	4.0	5.0
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

This mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

*Noncoal NPDES Draft Permits*

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**PA0257133. Mining Permit No. 57120301. Insinger Excavating, Inc.**, 344 Kahni Hill Road, Dushore, PA 18614, Forks Township, **Sullivan County**. Application received: April 3, 2023.

Renewal of an NPDES permit for discharge of water resulting from surface mining of industrial minerals affecting 38.3 acres. Receiving stream(s): Unnamed Tributary to Black Creek, classified for the following use(s): CWF, MF (Designated Use), EV (Existing Use).

Note: These draft effluent limits supersede the draft limits that were originally published on August 12, 2023.

The following outfalls discharge to Unnamed Tributary to Black Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Sedimentation Pond A	Precipitation Induced
002	Existing	Treatment Pond B	Continuous (13.8 gpm)

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

<i>Outfalls: 001 (Discharges during Dry Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Iron (mg/L)	Report		
Aluminum (mg/L)	Report		
Sulfate (mg/L)	Report		
Total Dissolved Solids (mg/L)	Report		
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
<i>Outfalls: 001 (Discharges after ≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
<i>Parameter</i>			
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Iron (mg/L)	Report		
Aluminum (mg/L)	Report		

<i>Outfalls: 001 (Discharges after ≤10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Sulfate (mg/L)	Report		
Total Dissolved Solids (mg/L)	Report		
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

*Outfalls: 001 (Discharges after >10-yr/24-hr Precip. Event)*  
 pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

<i>Outfalls: 002 (All Discharges)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Iron (mg/L)	Report		
Aluminum (mg/L)	Report		
Sulfate (mg/L)	Report		
Total Dissolved Solids (mg/L)	Report		
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**NPDES Permit No. PA0043901. Mining Permit No. 7973SM2. Heidelberg Materials Northeast, LLC, 7660 Imperial Way, Allentown, PA 18195, Wrightstown Township, Bucks County.** Application received: September 12, 2022.

Renew NPDES permit affecting 154.9 acres. Receiving stream: UNT to Neshaminy Creek, classified for the following use: WWF.

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 UNT to Neshaminy Creek.:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
002A	Existing	Treatment Facility Outfall	1.935 MGD
005	Existing	Treatment Facility Outfall	1.935 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>i</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)				
Total Iron (mg/L)		3.0	6.0	7.0
Total Manganese (mg/L)		2.0	4.0	5.0
Total Aluminum (mg/L)		0.75	0.75	0.75
Total Dissolved Solids (mg/L)			Monitor And Report	
Sulfates (mg/L)			Monitor And Report	
Chloride (mg/L)			Monitor And Report	
Oil and Grease (mg/L)			Monitor And Report	

<sup>i</sup>This Parameter is applicable at all times.

The proposed effluent limits are as follows:

The following limits apply to dry weather discharges from the following stormwater outfalls: 001, 002B

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

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, 002B

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

<sup>i</sup>This Parameter is applicable at all times

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (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)).

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

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

**E4002223-021. One More Mountain Top Holdings, LLC**, 4511 Falmer Drive, Bethlehem, PA 18020, Wright Township, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 5, 2023.

To construct and maintain and the following water obstructions and encroachments associated with the

Grove at Mountain Top Project: 1) A fill within 0.02 acre of PEM Wetlands (EV) consisting of a 24-foot wide access and an 8-inch diameter water main. 2) A crossing of a UNT to Watering Run (CWF, MF) and 0.07 acre of adjoining PEM/PSS Wetlands (EV) consisting of a 52-foot long, 4.5-foot high, 21-foot span, open-bottom aluminum arch culvert lined with R-6 riprap and blended with natural streambed material and a 47-foot long, 12-inch diameter HDPE wetland cross pipe. The purpose of this impact is for the installation of a 24-foot wide access road and an 8-inch diameter ductile iron water main. 3) A crossing of 0.02 acre of PEM/PFO Wetlands (EV) consisting of a 24-foot wide access road and an 8-inch diameter ductile iron water main. This crossing will include a 30-foot long, 12-inch diameter HDPE wetland cross pipe. 4) A crossing of Watering Run (CWF, MF) consisting of a 128.5-foot long, 9.5-foot high, 63-foot span, open-bottom aluminum arch culvert lined with R-6 riprap and blended with natural streambed material, an 8-inch diameter ductile iron water main, and an 8-inch diameter PVC sewer main. 5) A crossing of 0.03 acre of PFO Wetlands (EV) consisting of a 24-foot wide access road, an 8-inch diameter ductile iron water main, and an 8-inch diameter PVC sewer main. 6) A utility line crossing within the floodway of Watering Run (CWF, MF) consisting of a 130-LF, 15-inch diameter PVC sewer main and two (2) concrete manholes. 7) A stormwater outfall within the floodway of Watering Run (CWF, MF) consisting of a trapezoidal vegetated swale. 8) A stormwater outfall within the floodway of a UNT to Watering Run (CWF, MF) consisting of a 30-inch diameter HDPE pipe, concrete endwall, and riprap apron. 9) A crossing of a UNT to Watering Run (CWF, MF) consisting of a 39-foot long, 3.5-foot high, 12-foot span, open-bottom aluminum arch culvert lined with R-6 riprap and blended with natural streambed material. 10) A crossing of 0.03 acre of PFO Wetlands (EV) consisting of a 24-foot wide access road. This crossing will include two (2) 30-foot long, 12-inch diameter HDPE wetland cross pipe. The project is located northwest of the intersection of N. Sunset Drive and SR 309 (Wilkes-Barre West and Freeland, PA Quadrangle Latitude: 41° 7' 33"; Longitude: -75° 54' 12") in Wright Township, Luzerne County.

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Elaine Henderson, Clerical Assistant 3, 484-2505-157.*

**E0901223-006. Warminster Municipal Authority**, 415 Gibson Avenue, Warminster, PA 18974, Warminster Township, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District. Application received: August 29, 2023.

Warminster Municipal Authority is proposing to replace the existing 42-inch reinforced concrete pipe (RCP) storm pipe with a new 60-inch RCP storm pipe, including a new end wall with wing walls. The pipe to be replaced is

approximately 150 linear feet long, starting at the existing inlet on Cloverly Road and ending at the discharge point to an unnamed tributary of Little Neshaminy Creek (WWF). The project will have permanent impacts of 500 square feet (0.011 acre) and temporary direct impacts of 378 square feet (0.008 acre) in the unnamed tributary to Little Neshaminy Creek (WWF). There will also be a permanent floodway impact of 350 square feet (0.008 acre). This project is located in Bucks County, Warminster Township, PA (USGS PA Quadrangle—Latitude 40.210072N, Longitude -75.121278W).

#### DAM SAFETY

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

*Contact: Josh Fair, Water Program Specialist, 717-772-5988.*

**D20-073EA. Brenda Costa, Executive Director, French Creek Valley Conservancy and Nancy Dearolf, Mobile Realty 11 LLC**, 411 Chestnut Street, Meadville, PA 16335, City of Meadville, **Crawford County**. The Department of Environmental Protection, Division of Dam Safety (Department) has reviewed and approved the restoration plan to remove the Cussewago Dam to eliminate a threat to public safety and to restore approximately 1,500 feet of stream channel to a free-flowing condition. The project is located across Cussewago Creek (WWF) (Meadville, PA Quadrangle, Latitude: 41.6472; Longitude: -80.1683). The project was approved on September 12, 2023. The project was approved on September 12, 2023, Latitude: 41.6472°, Longitude: -80.1683°. Application received: January 23, 2022.

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## 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](http://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>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0233943	CAFO Individual NPDES Permit	Issued	Hoffman Family Farm LLC 243 Healy Road Shinglehouse, PA 16748-8537	Hebron Township Potter County	SCRO
PA0260053	CAFO Individual NPDES Permit	Issued	Zimmerman Jason S 260 Golden Rule Drive New Enterprise, PA 16664-8701	South Woodbury Township Bedford County	SCRO
PAD020010	Chapter 102 Individual NPDES Permit	Issued	Oxford Development Co. 2545 Railroad Street Suite 300 Pittsburgh, PA 15222-7605	Pittsburgh City Allegheny County	SWRO
PAD060072	Chapter 102 Individual NPDES Permit	Issued	Colebrookdale Woods LLC 3810 Germantown Pike Collegetown, PA 19426-4019	Colebrookdale Township Berks County	SCRO
PAD060087	Chapter 102 Individual NPDES Permit	Issued	Mount Penn Borough Municipal Authority 200 N 25th Street Reading, PA 19606-2075	Lower Alsace Township Berks County	SCRO
PAD210017	Chapter 102 Individual NPDES Permit	Issued	Ridge Penn Commerce Partners I LLC 3343 Peachtree Road Suite 1850 Atlanta, GA 30326	Penn Township Cumberland County	SCRO
PAD380024	Chapter 102 Individual NPDES Permit	Issued	Merlin High 45 E Texter Mission Road Robesonia, PA 19551-9214	Millcreek Township Lebanon County	SCRO
PAD380026	Chapter 102 Individual NPDES Permit	Issued	419 Point Partners LLC 1737 W Main Street Ephrata, PA 17522-1101	West Cornwall Township Lebanon County	SCRO
PAD390261	Chapter 102 Individual NPDES Permit	Issued	Jaindl Land Co. 3150 Coffeetown Road Orefield, PA 18069-2511	Upper Macungie Township Lehigh County	NERO
PAD520049	Chapter 102 Individual NPDES Permit	Issued	K&N Holdings LLC 610 5th Street Milford, PA 18337	Milford Township Pike County	NERO
PAD630019	Chapter 102 Individual NPDES Permit	Issued	US Army Corps of Engineering Pittsburgh District 1000 Liberty Avenue Pittsburgh, PA 15222-4186	Carroll Township Washington County	SWRO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0285099	Industrial Stormwater Individual NPDES Permit	Issued	Hemminger Auto & Truck Inc. 6288 Penn Avenue Friedens, PA 15541-8804	Jenner Township Somerset County	SWRO
1509411	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976-1209	West Vincent Township Chester County	SERO
1596432	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	New Garden Township Chester County	SERO
PA0209228	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Lycoming County Water & Sewer Authority P.O. Box 186 Montoursville, PA 17754-0186	Fairfield Township Lycoming County	NCRO
PA0052159	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Aqua PA Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010-3489	Middletown Township Delaware County	SERO
PA0030848	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Unionville Chadds Ford School District 740 Unionville Road Kennett Square, PA 19348-1531	Pennsbury Township Chester County	SERO
PA0035696	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Wattsburg Hospitality LLC 6101 Wattsburg Road Erie, PA 16509-4037	Millcreek Township Erie County	NWRO
PA0104353	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	West Middlesex DJVNW LLC 8865 Norwin Avenue Suite 27 PMB 319 North Huntingdon, PA 15642-2769	Shenango Township Mercer County	NWRO
PA0293008	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	National Association Church of God 410 Campground Road West Middlesex, PA 16159-2814	Shenango Township Mercer County	NWRO
PA0024392	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Rouseville Borough P.O. Box 317 Rouseville, PA 16344-0317	Cornplanter Township Venango County	NWRO
PA0050458	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	East Brandywine Township Chester County	SERO
PA0051250	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976-1209	Doylestown Township Bucks County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0217522	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Smithton Borough Municipal Authority P.O. Box 342 Smithton, PA 15479-0342	Smithton Borough Westmoreland County	SWRO
0100401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Berwick Township 85 Municipal Road Hanover, PA 17331-8992	Berwick Township Adams County	SCRO
1800403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Western Clinton County Municipal Authority P.O. Box 363 Renovo, PA 17764-0363	Renovo Borough Clinton County	NCRO
368S031	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Wattsburg Hospitality LLC 6101 Wattsburg Road Erie, PA 16509-4037	Millcreek Township Erie County	NWRO
4300414	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	West Middlesex DJVNW LLC 8865 Norwin Avenue Suite 27 PMB 319 North Huntingdon, PA 15642-2769	Shenango Township Mercer County	NWRO
4371403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	West Middlesex DJVNW LLC 8865 Norwin Avenue Suite 27 PMB 319 North Huntingdon, PA 15642-2769	Shenango Township Mercer County	NWRO
4396409	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	West Middlesex DJVNW LLC 8865 Norwin Avenue Suite 27 PMB 319 North Huntingdon, PA 15642-2769	Shenango Township Mercer County	NWRO
NOEX12002	No Exposure Certification	Issued	Puritan Products Inc. 2290 Avenue A Bethlehem, PA 18017-2108	Bethlehem City Lehigh County	NERO
NOEXNW030	No Exposure Certification	Issued	Linde Advanced Material Tech Inc. 595 Honey Bee Lane New Castle, PA 16105-3809	Wilmington Township Lawrence County	NWRO
PAG030083	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Chester County Area Airport Authority 1 Earhart Drive Suite 2 Coatesville, PA 19320	Valley Township Chester County	SERO
PAG030198	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Glaxosmithkline LLC 1250 S Collegeville Road P.O. Box 5089 Collegeville, PA 19426-2990	Upper Providence Township Montgomery County	SERO
PAG030199	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Avery Dennison Corp 35 Penn Am Drive Quakertown, PA 18951-2434	Richland Township Bucks County	SERO



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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG030200	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	First Student Inc. 600 Vine Street Suite 1400 Cincinnati, OH 45202-2400	Lower Moreland Township Montgomery County	SERO
PAG030221	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fiba Tech Inc. 1645 State Street East Greenville, PA 18041-2220	East Greenville Borough Montgomery County	SERO
PAG033682	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	York Group Inc. 2880 Black Bridge Road York, PA 17406-9703	Manchester Township York County	SCRO
PAG033757	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Waste Management PA Inc. 1586 Old 6th Avenue Road Altoona, PA 16601-8887	Logan Township Blair County	SCRO
PAG033784	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Genlyte Thomas Group LLC 100 Craftway Drive Littlestown, PA 17340-1651	Oxford Township Adams County	SCRO
PAG033922	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Blue Ridge Landfill Co. P.O. Box 399 Scotland, PA 17254-0399	Greene Township Franklin County	SCRO
PAG033936	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Graham Pkg Co. LP 700 Indian Springs Drive Suite 100 Lancaster, PA 17601-7800	Manchester Township York County	SCRO
PAG034067	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	MI Windows & Doors LLC 1010 54th Avenue E Tacoma, WA 98424-2731	Upper Paxton Township Dauphin County	SCRO
PAG034067	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	MI Windows & Doors LLC 1010 54th Avenue E Tacoma, WA 98424-2731	Upper Paxton Township Dauphin County	SCRO
PAG034844	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Continental Carbonic Products Inc. 1700 Scepter Road Waverly, TN 37185-3253	Clearfield Borough Clearfield County	NCRO
PAG034856	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Wades Concrete LLC 8550 State Route 415 Campbell, NY 14821-9778	Middlebury Township Tioga County	NCRO
PAG034958	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Centre Concrete Co. 629 E Rolling Ridge Drive Bellefonte, PA 16823-8135	Bradford Township Clearfield County	NCRO
PAG034986	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Charlotte Pipe & Foundry Co. 4210 Old Charlotte Highway Monroe, NC 28110-7333	Muncy Township Lycoming County	NCRO
PAG034991	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ambrosius Auto Parts 2587 Ambrosius Road New Albany, PA 18833-7709	Wilmot Township Bradford County	NCRO
PAG036162	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Marsh Auto Inc. 885 Banning Road Dawson, PA 15428-1008	Lower Tyrone Township Fayette County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG036181	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Bingaman & Son Lumber Inc. 1195 Creek Mountain Road Kreamer, PA 17833	Barr Township Cambria County	SWRO
PAG036198	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Heidelberg Materials NE LLC 2200 Springfield Pike Connellsville, PA 15425-6412	Pittsburgh City Allegheny County	SWRO
PAG036435	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Eurovia Atlantic Coast LLC d/b/a Northeast Paving 290 Bilmar Drive Pittsburgh, PA 15205	Springdale Borough Allegheny County	SWRO
PAG036454	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Quaker Sales Corp P.O. Box 880 Johnstown, PA 15907-0880	Susquehanna Township Cambria County	SWRO
PAG036529	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Dlubak Glass Co. 1600 Saxonburg Road Natrona Hts, PA 15065-1801	Harrison Township Allegheny County	SWRO
PAG038404	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	IA Const Corp P.O. Box 568 Franklin, PA 16323-0568	Conewango Township Warren County	NWRO
PAG038531	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Bingaman & Son Lumber Inc. 1195 Creek Mountain Road P.O. Box 247 Kreamer, PA 17833	Clarendon Borough Warren County	NWRO
PAG066106	PAG-06 NPDES General Permit for Combined Sewer Systems	Issued	Girtys Run Joint Sewer Authority 2236 Babcock Boulevard Pittsburgh, PA 15237-3218	Millvale Borough Allegheny County	SWRO
PAG106230	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	Laurel Mountain Midstream Operations LLC 2000 Commerce Drive Pittsburgh, PA 15275-1026	Jefferson Township Greene County	SWRO
2423402	Pump Stations Individual WQM Permit	Issued	Fox Township Sewer Authority Elk County P.O. Box 186 116 Irishtown Road Kersey, PA 15846-0186	Fox Township Elk County	NWRO
2574401	Pump Stations Individual WQM Permit	Issued	Lawrence Park Township Erie County 68 Port Access Road Erie, PA 16507-2204	Erie City Erie County	NWRO
PA0293164	Single Residence STP Individual NPDES Permit	Issued	Jeana M and Mark T Ness 220 Johns School Road Renfrew, PA 16053-8722	Forward Township Butler County	NWRO
PA0293270	Single Residence STP Individual NPDES Permit	Issued	Kuhn Dana N 9580 Route 6 N Albion, PA 16401-8214	Elk Creek Township Erie County	NWRO
1089405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Jeana M and Mark T Ness 220 Johns School Road Renfrew, PA 16053-8722	Forward Township Butler County	NWRO
2523416	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kuhn Dana N 9580 Route 6 N Albion, PA 16401-8214	Elk Creek Township Erie County	NWRO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0097489	Small Flow Treatment Facility Individual NPDES Permit	Issued	Martin Diesel LLC 7425 Route 422 Highway W Indiana, PA 15701-4343	Armstrong Township Indiana County	NWRO
3289401	Small Flow Treatment Facility Individual WQM Permit	Issued	Martin Diesel LLC 7425 Route 422 Highway W Indiana, PA 15701-4343	Armstrong Township Indiana 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 &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PA510020C A-1	PAG-02 General Permit	Issued	AP Const Inc 915 S Black Horse Pike Blackwood, NJ 08012-2815	City of Philadelphia Philadelphia County	DEP, SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@pa.gov
PAC510309	PAG-02 General Permit	Issued	Spruce Bustleton LLC 527 North Easton Road Glenside, PA 19038	City of Philadelphia Philadelphia County	DEP, SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@pa.gov
PAC540142	PAG-02 General Permit	Issued	Barry Solar 1, LLC Shawn Brandt 55 Technology Drive Suite 102 Lowell, MA 01851	Barry Township Pottsville Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@pa.gov
PAC090643	PAG-02 General Permit	Issued	The County of Bucks 55 East Court Street Doylestown, PA 18901-4318	Bristol Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@pa.gov
PAC200099	PAG-02 General Permit	Issued	National Fuel Gas Distribution Corporation 1100 State Street Erie, PA 16501	Woodcock Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC250197	PAG-02 General Permit	Issued	Erie Water Works 240 West 12th Street Erie, PA 16501	Greene Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC230252	PAG-02 General Permit	Issued	3471 Concord LLC 115 Miner Street West Chester, PA 19382	Aston Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC430098	PAG-02 General Permit	Issued	PTV 1316 LLC 400 Penn Center Boulevard Building 4 Suite 1000 Pittsburgh, PA 15235	Mercer Borough Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC200095	PAG-02 General Permit	Issued	Economic Progress Alliance of Crawford County 79 Bessemer Street Meadville, PA 16335	City of Meadville Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269
PAC670641	PAG-02 General Permit	Issued	Waggoner Holdings LP 135 Bentz Mill Road East Berlin, PA 17316	Washington Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670596	PAG-02 General Permit	Issued	Ferber Construction Management North LLC 194 Mount Airy Road Basking Ridge, NJ 07920	Dover Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670570A-1	PAG-02 General Permit	Issued	Carroll County Christian Center Inc. P.O. Box 127 Upperco, MD 21155	Penn Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC010243	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	McSherrystown Borough Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC010242	PAG-02 General Permit	Issued	Ski Liberty Operating Corp. 78 Country Club Trail Fairfield, PA 17320	Carroll Valley Borough Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC010076A-1	PAG-02 General Permit	Issued	Joanna LP 160 Ram Drive Hanover, PA 17331	Oxford Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC021015	PAG-02 General Permit	Issued	Sheffler & Co, Inc. 1712 Mt. Nebo Road Sewickley, PA 15143	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO

## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC021019	PAG-02 General Permit	Issued	Raising Cane's Chicken Fingers 6800 Bishop Road Plano, TX 75024	Pleasant Hills Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Pittsburgh, PA 15143 412-291-8005 SWRO
PAC010183A-2	PAG-02 General Permit	Issued	ERY Properties, LLC 105 Berlin Junction New Oxford, PA 17350	Oxford Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC020966	PAG-02 General Permit	Issued	Yarborough Development, Inc. 101 Atlantic Avenue Elizabeth, PA 15037	Elizabeth Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020988	PAG-02 General Permit	Issued	Overbrook Express, LLC 100 Hafner Road Pittsburgh, PA 15223	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020991	PAG-02 General Permit	Issued	South Fayette Conservation Group 515 Millers Run Road Morgan, PA 15604	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020777A-2	PAG-02 General Permit	Issued	Duquesne Light Company 2841 NE W Beaver Avenue Pittsburgh, PA 15233	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021018	PAG-02 General Permit	Issued	North Shore Owner 108 Lakeland Avenue Dover, DE 19901	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021001	PAG-02 General Permit	Issued	CRAFT Pittsburgh USA, Inc 2000 Georgetown Suite 101 Sewickley, PA 15143	Indiana Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020553	PAG-02 General Permit	Issued	Independent Enterprises 5020 Thoms Run Road Oakdale, PA 15107	Collier Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC020078	PAG-02 General Permit	Issued	TF South Fayette, LLC 8486 SR 819 Greensburg, PA 15601	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020515A-1	PAG-02 General Permit	Issued	Carnegie Mellon University 5000 Forbes Avenue Pittsburgh, PA 15213	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021003	PAG-02 General Permit	Issued	Michael Dunn 5117 West Harbison Road Pittsburgh, PA 15205	Robinson Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020824A-1	PAG-02 General Permit	Issued	Peoples Natural Gas Company, LLC 375 North Shore Drive Pittsburgh, PA 15212	West Mifflin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020005A-3	PAG-02 General Permit	Issued	Almono, LP 225 Fifth Avenue Pittsburgh, PA 15222	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15216 412-291-8005 SWRO
PAC020646A-2	PAG-02 General Permit	Issued	Markman Development, LLC 290 Northgate Drive Warrendale, PA 15086	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021037	PAG-02 General Permit	Issued	Venson Lofts Housing 2121 Old Gatesburg Road State College, PA 16803	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020896A-1	PAG-02 General Permit	Issued	Apex Newbury Apartments 44 Abele Road Suite 304 Bridgeville, PA 15071	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC630289	PAG-02 General Permit	Issued	Holladay Properties 1 Walker Avenue Suite 300 Clarendon Hills, IL 60514	North Strabane Township Washington County	Washington County Conservation District 50 Old Hickory Road Suite 1 Washington, PA 15301 412-291-8005 SWRO

## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC110109	PAG-02 General Permit	Issued	Northern Cambria School District 601 Joseph Street Northern Cambria, PA 15714	Northern Cambria Borough Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120 SWRO
PAC360869	PAG-02 General Permit	Issued	PPL Electric Utilities Corporation 1639 Church Road Allentown, PA 18104	West Hempfield Township Rapho Township East Donegal Township and Columbia Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360880	PAG-02 General Permit	Issued	Elizabethtown Borough 600 South Hanover Street Elizabethtown, PA 17022	Elizabethtown Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360823	PAG-02 General Permit	Issued	PA Dept. of General Services 1800 Herr Street Harrisburg, PA 17125	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360416A-1	PAG-02 General Permit	Issued	Manheim Township 1840 Municipal Drive Lancaster, PA 17601	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC670543A-1	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670644	PAG-02 General Permit	Issued	Statewide Partners LLC 3405 North Sixth Street Harrisburg, PA 17110	City of York York County	York County Conservation District 1383 Arcadia Road Room 200 York, PA 17402 717-840-7430
PAC670593	PAG-02 General Permit	Issued	Pine Creek Structures Inc. 102 East Market Street Gratz, PA 17313	West Manheim Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670278A-2	PAG-02 General Permit	Issued	Rexroth Equities LP P.O. Box 98 Dallastown, PA 17313	Red Lion Borough and Windsor Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC010239	PAG-02 General Permit	Issued	Brian & Patrick Redding 1895A York Road Gettysburg, PA 17325	Cumberland Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC010245	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Berwick Township Hamilton Township and Abbottstown Borough Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC210309	PAG-02 General Permit	Issued	Sunshine Royalty, LLC 19 Balfour Drive Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210326	PAG-02 General Permit	Issued	JFTM Properties, LLC 194 Hempt Road Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC330032A1	PAG-02 General Permit	Issued	Punxsutawney Hospital 81 Hillcrest Drive Punxsutawney, PA 15757	Young Township Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463

**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>
North Mountain Gobbler # 1 6429 Ft. McCord Road Chambersburg, PA 17202	Franklin County	20.7	382.08	Poultry Beef	NA	Approved
Stoner's Hijos Hill, Inc. 7678 Oellig Road Mercersburg, PA 17236	Franklin County	1,318	1,450.30	Dairy	NA	Approved
Stewhills Farm, LLC— Adam J. Shearer 950 Muddy Creek Forks Road Airville, PA 17302	York County	140.2	738.37	Swine Beef Finishers Dairy Calves	NA	Approved
Stone Chimney Farms, LLC— Shelby Smoker 3449 Delta Road Airville, PA 17302	York County	20.9	760.64	Finishing Swine Broilers	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).**

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

*Contact: Nadera Bair, Clerk II, 570-327-0551.*

**Construction Permit No. 5723502**, Major Amendment, Public Water Supply.

Applicant	<b>Eagles Mere Historic Village, Inc.</b>
Address	P.O. Box 362 Eagles Mere Borough, PA 17731
Municipality	Eagles Mere Borough
County	<b>Sullivan County</b>
Consulting Engineer	Irina O. Holt 466 S Main Street Montrose, PA 18801
Application Received	May 31, 2023
Permit Issued	September 12, 2023
Description	This permit approves upgrades to the existing Village Store Properties water system. Proposed modifications include removal of the existing Clack iron filter and Little Giant pressure system and installation of duplicate greensand filters, WellMate UT-80 oxidation tank, a sodium hypochlorite disinfection system, two Clack RT-120 contact tanks, a 6-gpm flow restrictor, and a 2nd hydropneumatic tank.

**Construction Permit No. 4923504MA**, Minor Amendment, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.— Roaring Creek Division</b>
Address	204 East Sunbury Street Shamokin, PA 17872
Municipality	Conyngham Township
County	<b>Columbia County</b>

Consulting Engineer David R Knapton  
4068 Mt Royal Boulevard  
Allison Park, PA 15101

Application Received June 12, 2023

Permit Issued September 13, 2023

Description This permit authorizes the permittee to replace the two existing vertical turbine high service pumps at their Brush Valley Well Station with two Goulds 11CHC - 11 stage, 200 HP, 1,800 RPM Vertical Solid Shaft High Service Pumps in Conyngham Township, Columbia County.

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

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

**Construction Permit No. 4023503MA**, Minor Amendment, Public Water Supply.

Applicant **Veolia Water Pennsylvania, Inc.**

Address 6310 Allentown Blvd.  
Suite 104  
Harrisburg, PA 17112

Municipality Dallas Township

County **Luzerne County**

Application Received February 9, 2023

Permit Issued September 6, 2023

Description Warren Drive Well Station (Overbrook Well Nos. 1 and 2) Integration into Veolia Dallas Water System

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Darin Horst, Environmental Engineer, 717-705-4708.*

**Operation Permit No. 3621529**, Public Water Supply.

Applicant **Warwick Township Municipal Authority**

Address 315 Clay Road  
Lititz, PA 17543

Municipality Warwick Township

County **Lancaster County**

Consulting Engineer Entech Engineering, Inc.  
201 Penn Street  
P.O. Box 32  
Reading, PA 19603

Application Received August 25, 2023

Permit Issued August 29, 2023

Description Operation of the Rothsville Well No. 1 nitrate treatment system.

**Operation Permit No. 7360620**, Public Water Supply.

Applicant **Linville Hill Christian School**

Address 295 South Kinzer Road  
Paradise, PA 17562

Municipality Paradise Township

County **Lancaster County**

Consulting Engineer James R. Holley & Associates, Inc.  
18 South George Street  
Suite 300  
York, PA 17401

Application Received August 29, 2023

Permit Issued August 31, 2023

Description Operation of soda ash addition facilities and chlorine contact piping.

**Emergency Permit No. 2823510 E**, Public Water Supply.

Applicant **Mercersburg Water Authority**

Address 113 South Main Street  
Mercersburg, PA 17236

Municipality Mercersburg Borough

County **Franklin County**

Application Received September 7, 2023

Permit Issued September 7, 2023

Description Emergency bulk water hauling.

**Operation Permit No. 7366525**, Public Water Supply.

Applicant **J.D. Eberly Services**

Address 1237 Pine Hill Road  
Lititz, PA 17543

Municipality Warwick Township

County **Lancaster County**

Consulting Engineer ARRO Consulting, Inc.  
321 N. Furnace Street  
Suite 200  
Birdsboro, PA 19508

Application Received May 15, 2023

Permit Issued September 8, 2023

Description Approval of existing vended water treatment systems and addition of two (2) dispensers at EP 100.

**Emergency Permit No. 3623537 E**, Public Water Supply.

Applicant **Christiana Municipal Water Authority**

Address 10 West Slokom Avenue  
P.O. Box 135  
Christiana, PA 17509

Municipality West Sadsbury Township

County **Chester County**

Consulting Engineer Becker Engineering, LLC  
1848 Charter Lane  
Suite 214 Lancaster, PA 17601

Application Received September 11, 2023

Permit Issued September 11, 2023

Description Emergency use of the interconnect with Pennsylvania—American Water Company—Coatesville District (PWS ID No. 1150106).

**Operation Permit No. 7360124**, Public Water Supply.

Applicant **Elizabethtown Area Water Authority**

Address 211 West Hummelstown Street  
Elizabethtown, PA 17022

Municipality Mount Joy Township  
West Donegal Township and  
Elizabethtown Borough

County **Lancaster County**

Application Received June 12, 2023

Permit Issued September 13, 2023

Description Emergency designation of the interconnect with Masonic Village (PWS ID No. 7360025), and abandonment of Well No. 2.

**Operation Permit No. 3622525 MA**, Public Water Supply.

Applicant **Manheim Area Water and Sewer Authority**

Address 18 East High Street  
Manheim, PA 17545

Municipality Manheim Borough

County **Lancaster County**

Consulting Engineer Utility Service Co., Inc.  
1230 Peachtree Street NE  
Suite 1100  
11th Floor  
Atlanta, GA 30309

Application Received August 30, 2023

Permit Issued September 13, 2023

Description Operation of the 2.0 million-gallon Big Tank.

**Construction Permit No. 3623526 MA**, Public Water Supply.

Applicant **City of Lancaster**

Address 120 North Duke Street  
P.O. Box 1599  
Lancaster, PA 17608

Municipality City of Lancaster

County **Lancaster County**

Application Received June 27, 2023

Permit Issued September 19, 2023

Description Replacement of the fluoride day tank, relocation of the CFE turbidimeter sampling point, and relocation of chemical feed points at Conestoga Water Treatment Plant.

**Operation Permit No. 2823507 MA**, Public Water Supply.

Applicant **Greencastle Area, Franklin County, Water Authority**

Address 60 North Washington Street  
Greencastle, PA 17225

Municipality Greencastle Borough

County **Franklin County**

Consulting Engineer Gannett Fleming, Inc.  
207 Senate Avenue  
Camp Hill, PA 17011

Application Received June 22, 2023

Permit Issued September 14, 2023

Description Designation of treatment segments for calculation of Giardia inactivation.

*Contact: Joseph Mattucci, Program Manager, 717-705-4931.*

**Reserve Source Designations Permit No. 3060681**, Public Water Supply.

Applicant **East Penn Manufacturing Company**

Address 102 Deka Road  
P.O. Box 147  
Lyon Station, PA 19536

Municipality Richmond Township

County **Berks County**

Consulting Engineer Heather McLaughlin  
Water Quality Specialist  
102 Deka Road  
P.O. Box 147  
Lyon Station, PA 19536

Application Received May 30, 2023

Permit Issued September 15, 2023

Description East Penn Manufacturing Company is a nontransient noncommunity water system that requested a reserve designation for Well No. 9.

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

*Contact: Nadera Bair, Clerk II, 570-327-0551.*

**Operation Permit 5523501MA**. PWSID No. **4550022**. **Shamokin Dam Borough**, 42 West 8th Avenue, Suite 1, Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. Application received: September 18, 2023. Permit Issued: September 18, 2023. This permit authorizes operation of the rehabilitated 250,000-gallon elevated finished water storage tank.

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.*

**Designation of Water Quality Performance Requirements Permit 3060127**. PWSID No. **3060127**. **Cornell Companies, Inc. dba Abraxas Academy**, 1000 Academy Dr, P.O. Box 645, Morgantown, PA 19543, New Morgan Borough, **Berks County**. Application received: June 1, 2023. Permit Issued: September 12, 2023. This action designates optimal water quality parameters for pH and phosphate.

**Operation Permit 7380439.** PWSID No. **7380439.** **Country View Grocery, LLC**, 1941 Horseshoe Pike, Annville, PA 17003, South Annville Township, **Lebanon County**. Application received: August 14, 2023. Permit Issued: September 13, 2023. This comprehensive operation permit authorizes authorization of the entire Public Water Supply at this site. It incorporates the recent addition of a sodium hypochlorite disinfection system and the removal of an ultraviolet light disinfection system.

**Operation Permit 5023505 MA.** PWSID No. **7500021.** **Millerstown Borough Waterworks**, 44 N High St, P.O. Box 739, Millerstown, PA 17062, Millerstown Borough, **Perry County**. Application received: August 24, 2023. Permit Issued: September 13, 2023. This action authorizes the operation of a GridBee tank mixer in the Stephen Street Finished Water Storage Tank.

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

**Operation Permit 7210049.** PWSID No. **7210049.** **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013, North Middleton Township, **Cumberland County**. Application received: June 8, 2023. Permit Issued: September 13, 2023. Comprehensive operation permit for reserve designation for the Conodoguinet Creek.

**Operation Permit 7210057.** PWSID No. **7210057.** **Ward Realty Ventures Regency, LLC**, 577 S Front Street, Harrisburg, PA 17104, Middlesex Township, **Cumberland County**. Application received: July 3, 2023. Permit Issued: September 13, 2023. Comprehensive operation permit for the transfer of the Regency Woods Mobile Home Park.

**Emergency Permit 2123510 E.** PWSID No. **7210013.** **UMH PA, LLC**, 3499 Route 9 North, Suite 3C, Freehold, NJ 07728, Lower Frankford Township, **Cumberland County**. Application received: September 12, 2023. Permit Issued: September 15, 2023. Reissuance of the limited duration emergency operation permit for a time extension.

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

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

**Operation Permit 65232516.** PWSID No. **5650070.** **Municipal Authority of the City of New Kensington**, P.O. Box 577, 920 Barnes Street, New Kensington, PA 15068, City of New Kensington, **Westmoreland County**. Application received: August 28, 2023. Permit Issued: September 14, 2023. Rehabilitated Filter No. 1 (new filter media and concrete repair) and new turbidimeters at the H. Burns Smith Water Treatment Plant.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Contact: Noah D. Niedererr, Sewage Planning Specialist, 717-705-4768.

Plan Location:

Municipality	Address	County
Silver Spring Township	8 Flowers Drive Mechanicsburg, PA 17050	Cumberland County

Plan Description:

**Green Ridge Elementary School Expansion**, A3-21925-625-3. Approval of a revision to the official plan of Silver Spring Township, **Cumberland County**. The project is known as the Green Ridge Elementary School Expansion. The plan provides for expansion of an existing elementary school on 11.70 acres and upgrades to the onsite wastewater treatment plant. The estimated increase in sewage flows is 3,500 gpd, for a total of 10,000 gpd, and they will be tributary to the onsite treatment plant owned and operated by the Cumberland Valley School District. The proposed development is located at 1 Green Ridge Road in Silver Spring Township, Cumberland County. The DEP Code Number for this planning module is A3-21925-625-3 and the APS ID No. is 1091502. Any permits must be obtained in the name of the Cumberland Valley School District.

## 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**R. Warriner Pad 2**, Primary Facility ID # **858186**, 6365 State Route 3023, Montrose, PA 18801, Dimock 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 groundwater contaminated with diesel-based drilling mud. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Matt's Service Station**, Primary Facility ID # **867004**, 1 Lonesome Road, Old Forge, PA 18518, Old Forge Borough, **Lackawanna County**. Quad 3 Group, 377 North Washington Street, Wilkes-Barre, PA 18701, on behalf of MMI Realty, LLC, 1 Lonesome Road, Old Forge, PA 18518, submitted a Final Report concerning remediation of soil contaminated with benzene. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

*Contact: Ben, 814-350-5132.*

**Potato Creek 2H Well Pad**, Primary Facility ID # **802539**, 1704 Sackett Hollow Rd, Smethport, PA 16749, Norwich Township, **McKean County**. Moody & Associates, Inc., 11548 Cotton Rd, Meadville, PA 16335, on behalf of Pennsylvania General Energy Company, LLC, 120 Market St, Warren, PA 16365, submitted a Final Report concerning remediation of soil and groundwater contaminated with Soils: Chloride, Aluminum, Barium, Boron, Zinc, Lithium, Copper, Selenium, Strontium, Vanadium, Chromium Groundwater: Chloride, Aluminum, Barium, Boron, Zinc, Lithium, Copper, Selenium, Strontium, Vanadium, Chromium, Lead. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

*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.*

**Stumpf Field Properties**, Primary Facility ID # **840231**, 1350 Fruitville Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. Liberty Environmental, Inc., 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of MAC Land Company, LLC, 1350 Fruitville Pike, Lancaster, PA 17601, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with volatile organic compounds. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific 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.*

**3145 Grays Ferry Avenue**, Primary Facility ID # **848264**, 3145 Grays Ferry Avenue, Philadelphia, PA 19146, City of Philadelphia, **Philadelphia County**.

Heather Shoemaker, GZA GeoEnvironmental, Inc., 515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of Charles Brown, 3145 Grays Ferry LLC, 19191 South Vermont Avenue, Suite 680, Torrance, CA 90502, submitted a Final Report concerning remediation of groundwater contaminated with cyclohexane, isopropyl benzene, methyl acetate, methyl cyclohexane, total xylenes, toluene, benzaldehyde, benzo(a,h)anthracene, benzo(b)-fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, dibenzo(a,h)anthracene, dibenzofuran, fluorene, 2-butanone, 2-methylnaphthalene, indeno(1,2,3-cd)pyrene, phenanthrene, pyrene, arsenic, lead, and benzene. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**River Station**, Primary Facility ID # **617044**, 304, 307 & 500 Brandywine Avenue, Downingtown, PA 19335, Downingtown Borough/East Caln Township, **Chester County**. Carl J. Bones, PE, Marathon Engineering and Environmental Services, Inc., 3 Killdeer Court, Suite 300, Swedesboro, NJ 08085, on behalf of Neal Fisher, PE, Brandywine Station, LP, 707 Eagleview Boulevard, Exton, PA 19341, submitted a Final Report concerning remediation of soil contaminated with other organics. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**Fairless Landfill Eastern Expansion Area**, Primary Facility ID # **863122**, South Port Road, Morrisville, PA 19067, Falls Township, **Bucks County**. Francis T. Adams, PE, WSP, 10 Lake Center Drive, Suite 205, Marlton, NJ 08053, on behalf of Brian Bolvin, PE, Waste Management of Fairless, LLC, 1000 New Ford Mill Road, Morrisville, PA 19067, submitted a Risk Assessment/Remedial Investigation/Final Report concerning remediation of soil contaminated with VOCs, SVOCs, PCBs and metals. The Risk Assessment/Remedial Investigation/Final Report is intended to document remediation of the site to meet the site-specific standards.

**1700 North 49th Street**, Primary Facility ID # **816258**, 1700 North 49th Street, Philadelphia, PA 19131, City of Philadelphia, **Philadelphia County**. Meredith Braverman, Arcadis U.S., Inc., 1007 North Orange Street, Suite 411 and 412, Wilmington, DE 19801, on behalf of Michael Grygo, Comcast of Philadelphia, LLC, 3800 Horizon Boulevard, 3rd Floor, Suite 300, Trevoise, PA 19053, 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 and 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.

**Eco-Energy Philadelphia Ethanol Terminal**, Primary Facility ID # **777122**, 4099 South Columbus Boulevard, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Jamey A. Stynchula, PG, GEI Consultants, Inc., 1800 Horizon Way, Suite 200, Mt. Laurel, NJ 08054, on behalf of Chadwick Conn, Eco-Energy

Distribution Philadelphia, LLC, 6100 Tower Circle, Suite 500, Franklin, TN 37067, submitted a Remedial Investigation Report concerning remediation of soil contaminated with with benzo(a)pyrene, arsenic, thallium and benzene. The Remedial Investigation Report is intended to document remediation of the site to meet the site-specific standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREMABLE 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.

*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.*

**Epting Tract**, Primary Facility ID # **860572**, 24 Loose Lane, Leesport, PA 19533, Ontelaunee Township, 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. Disapproved: September 14, 2023.

**Wire-Mesh Products, Inc.**, Primary Facility ID # **862790**, 501 East King Street, York, PA 17403, City of York, **York County**. Groundwater Sciences Corporation, 2550 Interstate Drive, Suite 303, Harrisburg, PA 17110, on behalf of Wire-Mesh Products, Inc., 501 East King Street, York, PA 17403, submitted a Final Report concerning remediation of soil contaminated with petroleum substances. The Final Report demonstrated attainment of the site-specific standards. Approved: September 15, 2023.

**Shermans Valley Road Sewer Lining Project**, Primary Facility ID # **849655**, Shermans Valley Road, West of Potter Lane, Loysville, PA 17047, Tyrone Township, **Perry County**. Sovereign Consulting, Inc., 111A North Gold Drive, Robbinsville, NJ 08691, on behalf of NWMCC, 1806 Newark Turnpike, Kearny, NJ 07032, submitted a Final Report concerning remediation of groundwater contaminated with Styrene. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 19, 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.*

**Laurel Manor Apartments**, Primary Facility ID # **86777**, 333 North Avenue, 1250 Providence Road and 625 South Avenue, Secane, PA 19018, Upper Darby Township, **Delaware County**. Stephanie Clorey, EBI Consulting, 21 B Street, Burlington, MA 01803, on behalf of Ed Hoffman, Laurel Manor Realty LLC, Montium, 1500 Avenue of the States, Suite 400, Lakewood, NJ 08701, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with PCE, TCE and cis-1,2-dichloroethene. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: September 1, 2023.

**Ardmore MGP Site**, Primary Facility ID # **665878**, 44 Greenfield Avenue, Ardmore, PA 19380, Lower Merion Township, **Montgomery County**. Christopher Zeliznak, PG, Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of Peter Farrand, PECO Energy, 2301 Market Street, Philadelphia, PA 19103, submitted a Remedial Investigation Report/Final Report concerning remediation of soil and groundwater contaminated with naphthalene and 2-methylnaphthalene. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: September 5, 2023.

**2636 East York Street**, Primary Facility ID # **848264**, 2636 East York Street, Philadelphia, PA 19122, City of Philadelphia, **Philadelphia County**. Jennifer Poole,

Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Lawrence McKnight, L&M Real Estate Development, LLC, 3020 Richmond Street, Philadelphia, PA 19134, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with metals. The Report demonstrated attainment of the site-specific standards. Approved: September 8, 2023.

**Gilbertsville Golf Club**, Primary Facility ID # **859858**, 2944 Lutheran Road, Gilbertsville, PA 19525, New Hanover Township, **Montgomery County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Joan Hodges, Artisan Construction Group, LLC, P.O. Box 689, Devon, PA 19333, submitted a Risk Assessment/Remedial Investigation/Final Report concerning remediation of soil contaminated with pesticides. The Final Report did not demonstrate attainment of the Statewide health and site-specific standards. Disapproved: September 7, 2023.

**Raceway Kia**, Primary Facility ID # **865179**, 1402 Ridge Pike, Conshohocken, PA 19428, Plymouth Township, **Montgomery County**. David DiPascale, TTI Environmental, 1253 North Church Street, Morristown, NJ 08057, on behalf of Wayne Heilman, RW Real Estate, 1209 SW 54th Lane, Cape Coral, FL 33914, submitted a Final Report concerning remediation of soil contaminated with lead. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: September 5, 2023.

**3145 Grays Ferry Avenue**, Primary Facility ID # **848264**, 3145 Grays Ferry Avenue, Philadelphia, PA 19146, City of Philadelphia, **Philadelphia County**. Heather Shoemaker, GZA GeoEnvironmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of Elias Slaiby, 3145 Grays Avenue, LLC, 19191 South Vermont Avenue, Suite 680, Torrance, CA 90502, submitted a Final Report concerning remediation of soil contaminated with cyclohexane, isopropyl benzene, methyl acetate, methyl cyclohexane, total xylenes, toluene, benzaldehyde, benzo(a,h)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, dibenzo(a,h)anthracene, dibenzofuran, fluorene, 2-butanone, 2-methylnaphthalene, indeno(1,2,3-cd)pyrene, phenanthrene, pyrene, arsenic, lead, and benzene. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: September 1, 2023.

**Steichen Residence**, Primary Facility ID # **868306**, 1735 Flint Hill Road, Landenberg, PA 19350, London Britain Township, **Chester County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Dr. John Steichen, 118 Sycamore Street, West Grove, PA 19390, submitted a Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 8, 2023.

#### HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

**Actions(s) Taken on Draft Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

*Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMIT@pa.gov.*

**PAR000538058. Energy Transfer Marketing & Terminals, L.P.**, 100 Green Street, Marcus Hook, PA 19061, Marcus Hook Borough, **Delaware County**. A draft permit is issued in response to the Energy Transfer Marketing & Terminals, L.P., RCRA Part B hazardous waste renewal application for the continued operation of their Marcus Hook Terminal Facility, a captive hazardous waste facility located at 100 Green Street, Marcus Hook, PA 19061-0426 in the Borough of Marcus Hook, Delaware County. This application was submitted for renewal of operations for another ten-year permit term. Current operations consist of storage of hazardous waste generated at the facility in one container storage area for a period greater than 90 days, but less than 1 year. Section 270a.80(b) of 25 Pa. Code provides that the public be given forty-five (45) days to comment on each hazardous waste draft permit prepared under the Solid Waste Management Act. The comment period will begin on the date that this notice appears and will end at the close of business forty-five (45) days thereafter. All persons wishing to comment on any of the permit conditions or the permit application should submit their comments in writing to the Department of Environmental Protection (DEP), Waste Management, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401, Attention: Regional Solid Waste Manager, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov. Application received: November 1, 2022. Issued: September 5, 2023.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

#### 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.**

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

*Contact: Mark J Wejkszner, Air Quality Program Manager, 570-826-2511.*

**GP1-35-015: Maid-Rite Specialty Foods, Inc.**, P.O. Box 172, Dunmore, PA 18512, Dunmore Borough, **Lackawanna County**. For the installation of a new Cleaver Brooks 16.328 MMBtu/hr Natural Gas/No. 2 oil fired boiler. Application received: August 16, 2023. Issued: September 19, 2023.

*Contact: Shailesh Patel, Air Quality Engineer, 570-826-2341.*

**AG5A-58-00061A: Coterra Energy**, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, Springville Township, **Susquehanna County**. AG5A-58-00061A: Coterra Energy (2000 Park Lane, Suite 300, Pittsburgh, PA 15275) on September 15, 2023 a general Operating Permit GP5A issued for the construction & operation of a Unconventional Natural Gas Well Site at Mogrige C Pad 1 located

in Springville Twp., Susquehanna County. Application received: August 30, 2023. Issued: September 15, 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.*

**GP19-67-03081B: Finishing Systems, Inc.**, 70 Willow Springs Circle, York, PA 17406, Manchester Township, **York County**. For five existing shotblast machines and 3 dust collectors, under GP19, at the facility. The general permit authorization was renewed. Application received: August 8, 2023. Issued: September 13, 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.*

**GP5-65-01138A/AG5-65-00015A: Hyperion Midstream, LLC**, 501 Technology Drive, Suite 1200, Canonsburg, PA 15317, Upper Burrell Township, **Westmoreland County**. On September 12, 2023, Hyperion Midstream LLC was authorized the construction and operation of: two (2) Caterpillar Compressors rated at 1,875 bhp controlled by oxidation Catalysts, five (5) Caterpillars at 3,750 bhp controlled by oxidation catalysts, two (2) EPA certified Cummins backup generators at 1,135 bhp controlled by oxidation catalysts, three (3) reboilers at 1.5 MMBtu/hr, four (4) catalytic heaters at 0.056 MMBtu/hr, three (3) dehydrators at 125 MMscfd controlled by enclosed combustors at 1.5 MMBtu/hr, storage tanks, truck loading, blowdowns, pigging, fugitives, and emission from the existing Calliope well pad from miscellaneous sources at their Rogers Compressor Station located in Upper Burrell Township, Westmoreland County. Application received: July 20, 2023. Authorized: September 12, 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.**

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

*Contact: David Balog, P.E., New Source Review Section Chief, 814-332-6328.*

**25-00035C: Molded Fiber Glass—Union City facility**, 55 4th Avenue, Union City, PA 16438, Union City Borough, **Erie County**. Issued a plan approval to authorize an alternate operating scenario for allowing the facility's three (3) existing reaction injection molding presses (Source ID 109) to operate as compression resin transfer molding (C-RTM) presses. This will involve changes to raw materials, mixing operations, and press operating methods & parameters, and will not involve the installation of new equipment. The proposed Plan Approval will also contain a 49.95 ton per year sitewide VOC emission limit, which was proposed as part of the pending Title V Operating Permit renewal, in order to make the facility a Synthetic Minor facility. Application received: September 21, 2022. Issued: September 11, 2023.

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

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

**09-0197A: Hiossen, Inc.**, 85 Ben Fairless Dr, Fairless Hills, PA 19030-5012, Falls Township, **Bucks County**. The plan approval was extended for the installation of an acid etching machine using hydrochloric, and sulfuric acids, with two (2) Balestri Technologies SRL counter-current packed towers (in parallel) and having a co-current spray column to control and neutralize the acid fumes. Application received: July 14, 2023. Issued: September 12, 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.*

**18-00035A: Terreva Renewable Energy, LLC**, 3340 Peachtree Road, Suite 170, Atlanta, GA 30326, Wayne Township, **Clinton County**. The Department authorization extension of the temporary operating period for the shakedown and compliance testing of sources at their landfill gas to pipeline quality natural gas facility. The plan approval expiration has been extended to March 3, 2024. Application received: August 31, 2023. Extension: September 5, 2023. New expiration date: March 3, 2024.

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

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

**22-03102A: Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033, Derry Township, **Dauphin County**. For the construction of a biogas-fired combined heat and power (CHP) generation system including gas conditioning and gas conveyance systems at the Waste Water Treatment Facility. The plan approval was extended. Application received: September 7, 2023. Issued: September 13, 2023.

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

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

**PA-30-00170B: Laurel Mountain Midstream Operating, LLC**, 2000 Commerce Drive, Pittsburgh, PA 15275, Greene Township, **Greene County**. Effective September 28, 2023, to extend the period of temporary operation of two (2) Caterpillar G3516B lean burn natural gas-fired compressor engine rated at 1,380 bhp at the existing Brown Compressor Station located in Greene Township, Greene County. The new expiration date is March 28, 2024. Application received: August 10, 2023. Issued: September 12, 2023.

**PA-26-00616A: Laurel Macadam, LLC**, 2488 Springhill Furnace Road, Lake Lynn, PA 15451, Springhill Township, **Fayette County**. Effective September 28, 2023, to extend the period of temporary operation and for the continued construction of the Springhill Asphalt



Plant. The new expiration date is March 28, 2023. Application received: August 18, 2023. Issued: September 19, 2023.

**PA-63-00999A: EQM Gathering Opco, LLC**, 2200 Energy Drive, Canonsburg, PA 15317, West Pike Run Township, **Washington County**. Effective September 28, 2023, with expiration on March 28, 2024, to extend the period for installation of five compressor engines, two tri ethylene glycol dehydrators, four produced water tanks, three low pressure pig receivers, one high pressure pig launcher, miscellaneous lubrication oil tanks, and piping components in natural gas service at Blue Moon Compressor Station. Temporary operation of five compressor engines, two tri ethylene glycol dehydrators, four produced water tanks, miscellaneous lubrication oil tanks, and piping components in natural gas service previously authorized under GP5-63-00999A is also extended. Application received: August 14, 2023. Issued: September 19, 2023.

**Title V Operating Permit(s) Issued 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, 814-332-6940.*

**43-00011: Greenville Metals, Inc.**, 850 Crestview Dr, Transfer, PA 16154-2317, Pymatuning Township, **Mercer County**. The Department issued a renewal Title V Operating Permit for the secondary smelter and refiner of ferrous and nonferrous metals. The facility's major emission sources include an electric arc furnace, several induction furnaces, an argon-oxygen decarburization vessel, casting machines, shot blasters, reaction vessels, an emergency generator engine, and miscellaneous support operations. The actual emissions of the primary pollutants from the facility in 2022 (in tons) are as follows: PM<sub>10</sub>: 5.89, NO<sub>x</sub>: 3.45, SO<sub>x</sub>: 9.65, CO: 88.73, VOC: 2.58, Chromium: 0.262, and Nickel: 1.11. The facility is subject to Title V requirements for potential CO emissions. The facility is subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) for electric arc furnace steelmaking facilities (40 CFR 63, Subpart YYYYY) and stationary reciprocating internal combustion engines (40 CFR 63, Subpart ZZZZ), and the New Source Performance Standards (NSPS) for electric arc furnaces and argon-decarburization vessels constructed after August 17, 1983 (40 CFR 60, Subpart AAa). Because of its low potential to emit VOC and NO<sub>x</sub>, the facility is not subject to the RACT III requirements promulgated on November 12, 2022 (52 Pa.B. 6960). The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: September 13, 2021. Renewal issued: September 12, 2023.

*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.*

**05-05006: Columbia Gas Transmission, LLC**, 210 Harrisburg Road, Artemas, PA 17211, Mann Township, **Bedford County**. For the Artemas natural gas compressor station. The Title V permit underwent a significant modification to add presumptive and case-by-case RACT 3 requirements for the facility, and to remove Dehydration

Unit 3, and to revise the allowable natural gas throughput of the remaining glycol dehydrators. The portions of the permit related to approval of the RACT 3 case-by-case proposal will be submitted to US EPA for approval and incorporation into Pennsylvania's State Implementation Plan (SIP). Other requirements will be excluded from the SIP submittal. Application received: December 19, 2022. Issued: September 12, 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.*

**49-00059: Herndon Reload**, 386 Pennsylvania Avenue, Herndon, PA 17830, Herndon Borough, **Northumberland County**. The Department issued a renewal State Only (Synthetic Minor) Operating Permit for the Herndon Reload facility. The State Only (Synthetic Minor) Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations. Application received: December 27, 2022. Renewal issued: September 18, 2023. New expiration date: September 17, 2028.

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

*Contact: Norm Frederick 570-826-2409.*

**39-00064: CERA MET, LLC, Bethlehem Facility**, 2175 Avenue C, Bethlehem, PA 18017, Bethlehem Township, **Lehigh County**. The Department issued a renewal State-Only (Synthetic Minor) Permit for the aluminum foundries facility located in Bethlehem City, Lehigh County. The primary sources at this facility consist of binder mixing tanks, shell room, dewax autoclaves, and melters/holders. The control devices consist of thermal oxidizers and a wet scrubber. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: December 6, 2022. Renewal issued: September 19, 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.*

**20-00034: Northwest Hardwoods Inc./Titusville Campbell Yard**, 10589 Campbell Road, Titusville, PA 16534, Oil Creek Township, **Crawford County**. The Department has issued renewal of the State Only Operating Permit for a hardwood manufacturing facility. The sources at the facility include a wood-fired boiler controlled by a multiclone, an 11.8 MMBtu/hr natural gas boiler, miscellaneous woodworking operations and sawdust off-loading controlled by a central dust collection system, wood drying kilns, miscellaneous natural gas combustion, road dust from paved surfaces, and a parts washer. The facility is a natural minor. The facility is an

Area Source for MACT. The wood fired boiler is subject to the requirements of 40 CFR 63, Subpart JJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The actual PM, SO<sub>x</sub>, NO<sub>x</sub>, CO, and VOC emissions are approximately 8.0 TPY, 0.2 TPY, 5.1 TPY, 5.1 TPY, and 4.8 TPY, respectively. The renewal permit 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: March 30, 2022. Issued: August 18, 2023.

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

**43-00323: Advanced Fiberglass Service, Inc.**, 80 Canal Street, Sharpsville, PA 16150, Sharpsville Borough, **Mercer County**. The Department issued a renewal of the State Only Operating Permit for the custom fiberglass fabrication facility. The facility is a Natural Minor. The facility is located in Sharpsville Borough, Mercer County. The primary source is custom fabrication operations using a manual layup process. The facility is restricted to less than 9.9 TPY of styrene emissions based on a 12-month rolling sum. The renewal permit 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: September 30, 2022. Issued: September 12, 2023.

**37-00218: Young Galvanizing**, P.O. Box 334, Pulaski, PA 16143, Pulaski Township, **Lawrence County**. The Department issued the renewal of the State Only Operating Permit for Young Galvanizing for the metal galvanizing operations. The facility is a Natural Minor. The primary sources at the facility include a large and small zinc kettle, parts washer, a boiler, and miscellaneous combustion process heaters. The potential emissions from the facility are less than the following: 7 TPY NO<sub>x</sub>; 5.4 TPY CO; 5.1 TPY PM; 0.04 TPY SO<sub>x</sub>; 0.34 TPY VOC; 1.84 TPY zinc chloride; and 4.2 TPY ammonium chloride. The renewal permit 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: April 29, 2022. Issued: September 5, 2023.

**43-00349: Custom Container Valley Can, LLC**, 391 Wolfand Rd, Lewisburg, PA 17837, Perry Township, **Mercer County**. The Department issued a renewal State Only Natural Minor Operating Permit for the facility. The facility's primary emission sources include miscellaneous natural gas combustion, a paint spray booth, and the welding and plasma cutting operation. The potential emissions of the primary pollutants from the facility are as follows: 5.42 TPY NO<sub>x</sub>, 0.96 TPY CO, 6.06 TPY VOC, 15.56 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, and 0.01 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The facility must comply with 25 Pa. Code § 129.52d for control of VOC emissions from the paint booth. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: July 19, 2022. Renewal issued: September 12, 2023.

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

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

**67-03001: Frito-Lay, Inc.**, 3553 Gillespie Drive, York, PA 17404-5803, West Manchester Township, **York**

**County**. For the snack food manufacturing facility. The State-Only Permit was renewed. Application received: November 14, 2022. Issued: September 11, 2023.

**07-05035: Grannas Bros. Stone & Asphalt Co., Inc.**, P.O. Box 488, Hollidaysburg, PA 16648-0488, Frankstown Township, **Blair County**. For the batch asphalt plant. The State-Only Permit was renewed. Application received: December 22, 2022. Issued: September 13, 2023.

**31-03032: Glenn O Hawbaker, Inc.**, 711 East College Avenue, Pleasant Gap, PA 16823-6854, Morris Township, **Huntingdon County**. For the stone crushing operations at the Canoe Valley Quarry. The State-Only Permit was renewed. Application received: May 1, 2023. Issued: September 13, 2023.

**67-03151: Kenworthy Funeral Home, Inc.**, 269 Frederick Street, Hanover, PA 17331-3614, Hanover Borough, **York County**. For the human crematory facility. The State-Only Permit was renewed. Application received: May 24, 2023. Issued: September 13, 2023.

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

**38-03053: Kreamer Funeral Home & Crematory, Inc.**, P.O. Box 780, Jonestown, PA 17038-0780, Union Township, **Lebanon County**. For the human crematory at the facility. The State-Only Permit was renewed. Application received: April 28, 2023. Issued: September 12, 2023.

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

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

**15-00108: 150 S Jennersville Rd**, West Grove, PA 19390-9430, Penn Township, **Chester County**. The State Only Operating Permit was renewed for the manufacture of alumina oxide powder that is used for the manufacture of refractories (industrial furnace linings) at their facility. Application received: August 2, 2023. Issued: September 12, 2023.

**15-00018: Vanguard**, 150 Radnor Chester Rd, Saint Davids, PA 19807, East Whiteland Township, **Chester County**. The State Only Operating Permit was renewed for the boilers and generators operated for support of their operations in the financial services industry. Application received: October 7, 2022. Issued: September 18, 2023.

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**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.**

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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.

**30-00106: Big Dog Energy, LLC**, 104 Bradford Rd., Wexford, PA 15090, Franklin Township, **Greene County**. Big Dog Midstream, LLC (117 Elm Rd., Waynesburg, PA 15370). On September 15, 2023, the Department issued an administrative amendment of the synthetic minor State Only Operating Permit for the Waynesburg Compressor Station located in Franklin Township, Greene County. The facility has changed ownership from Equitrans, LP to Big Dog Midstream, LLC. The Operating Permit was modified to change owner's name and

address as well as the responsible official and permit contact person information. Application received: August 7, 2023. Deemed administratively complete: September 11, 2023.

**30-00112: Big Dog Energy, LLC**, 104 Bradford Rd., Wexford, PA 15090, Dunkard Township, **Greene County**. Big Dog Midstream, LLC (431 Gas Company Rd., Mount Morris, PA 15349). On September 15, 2023, the Department issued an administrative amendment of the natural minor State Only Operating Permit for the Mt. Morris Compressor Station located in Dunkard Township, Greene County. The facility has changed ownership from Equitrans, LP to Big Dog Midstream, LLC. The Operating Permit was modified to change owner's name and address as well as the responsible official and permit contact person information. Application received: August 7, 2023. Deemed administratively complete: September 11, 2023.

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

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*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.*

**36-05142: Mars Wrigley US, LLC**, 295 Brown Street, Elizabethtown, PA 17555, Elizabethtown Borough, **Lancaster County**. Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* Notice is for the authorization of a de minimis emissions increase of 0.35 tpy of PM<sub>10</sub> emissions for the operation of the facility's chocolate crumb oven at the chocolate and confectionery manufacturing plant. This is the first de minimis emissions increase at the facility during the term of the current Operating Permit.

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### **ACTIONS ON COAL AND NONCOAL APPLICATIONS**

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**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).**

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#### *Coal Permits*

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

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**Mining Permit No. 32031301. NPDES No. PA0235580. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, White and Center Townships, **Indiana County**. To revise the permit and related NPDES permit for permitting of a degassing borehole into existing mine workings. Also, installation of rock dust borehole, power borehole and a communication borehole affecting 3.2 surface acres. Application received: February 4, 2022. Accepted: April 7, 2022. Issued: September 12, 2023.

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

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

**Mining Permit No. 56880103. NPDES No. PA0598143. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, Summit Township, **Somerset County**. NPDES renewal and reclamation only on the existing surface coal mine with post-mining water treatment. Receiving streams: unnamed tributaries to/and Casselman River classified for the following use: WWF. Application received: February 27, 2023. Renewal issued: September 13, 2023.

**Mining Permit No. 56220102. NPDES No. PA0279871. Mountaineer Mining Corporation**, 1010 Garrett Shortcut Road, Berlin, PA 15530, Brothersvalley Township, **Somerset County**. Permit revision to include mining activities within 100' of SR 2027 (Pine Hill Road) on a bituminous surface mine Somerset County, affecting 114.3 acres. Receiving streams: unnamed tributaries to Buffalo Creek, classified for the following use: CWF. Application received: June 21, 2023. Permit issued: September 18, 2023.

#### *Noncoal Permits*

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

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

**Mining Permit No. 40A76SM1. NPDES No. PA0212521. Keystone Lime Company**, P.O. Box 278, Springs, PA 15562, Elk Lick Township, **Somerset County**. Renewal of NPDES permit. Receiving stream: Unnamed tributary to Laurel Run classified for the following use: CWF. Application received: June 5, 2023. Permit issued: September 19, 2023.

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

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

**Mining Permit No. 37880304. NPDES No. PA0204906. Allegheny Mineral Corporation**, P.O. Box 1022, Kittanning, PA 16201, Slippery Rock Township, **Lawrence County**. Renewal of an NPDES permit. Application received: June 5, 2023. Issued: September 18, 2023.

**Mining Permit No. 37970302. NPDES No. PA0227597. Allegheny Mineral Corporation**, P.O. Box 1022, Kittanning, PA 16201, Slippery Rock Township,

**Lawrence County.** Renewal of an NPES permit. Application received: June 5, 2023. Issued: September 18, 2023.

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

*Contact: Tracy Norbert, Clerical Assistant 3.*

**Mining Permit No. 65900403. NPDES No. PA0591866. Heidelberg Materials Northeast, LLC,** 2200 Springfield Pike, Connellsville, PA 15425, Unity Township, Cook Township, **Westmoreland County.** Permit renewal issued for continued mining of a large noncoal surface mining site. Affecting 662.5 acres. Receiving streams unnamed tributaries to Nine Mile Run, to Nine Mile Run to Loyalhanna Creek to Kiskiminetas River; and unnamed tributaries to Campbelle Run and Campbelle Run to Fourmile Run to Loyalhanna Creek. Application received: January 29, 2021. Issued: September 12, 2023.

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 40202801. NPDES Permit No. PA0226084. Raymond J. Malak, Jr., d/b/a Noxen Sand & Materials,** 2162 Chase Road, Shavertown, PA 18708, Lake Township, **Luzerne County.** New NPDES Permit on a quarry operation affecting 5.0 acres. Receiving stream: Beaver Run. Application received: December 5, 2019. Permit issued: September 14, 2023.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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**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.**

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##### *Blasting Permits*

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

*Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8101.*

**Permit No. 14234105. Douglas Explosives Services, LLC,** 2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866, Harris Township, **Centre County.** Blasting for residential development. Application received: September 12, 2023. Issued: September 18, 2023. Expiration date: April 15, 2024.

**Permit No. 14234106. Douglas Explosives Services, LLC,** 2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866, College Township, **Centre County.** Blasting for commercial development. Application received: September 13, 2023. Issued: September 18, 2023. Expiration date: December 30, 2023.

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

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

**Permit No. 02234003. Controlled Demolition, Inc.,** 13401 Still Haven Ct, Phoenix, MD 21131, Springdale Borough, **Allegheny County.** Blasting Activity Permit for the demolition of Cheswick Boiler/Felling of one steel

hung boiler with an expiration date of September 22, 2023. Application received: August 30, 2023. Issued: September 15, 2023.

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

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Permit No. 15234108. Keystone Blasting Service,** 15 Hopeland Road, Lititz, PA 17543, West Sadsbury Township, **Chester County.** Construction blasting for Freedom Life Center. Application received: September 8, 2023. Permit issued: September 18, 2023. Expiration date: December 30, 2023.

**Permit No. 35234109. Maurer & Scott Sales, Inc.,** 122 Thomas Street, Coopersburg, PA 18036, Archbald and Mayfield Boroughs, **Lackawanna County.** Construction blasting for Century Logistics. Application received: September 11, 2023. Permit issued: September 18, 2023. Expiration date: September 8, 2025.

**Permit No. 36234121. Douglas Explosives, Inc.,** 2052 Philipsburg Bigler Highway, Philipsburg, PA 16866, West Earl Township, **Lancaster County.** Construction blasting for Meadow View Jerseys Farm Manure Pit. Application received: September 11, 2023. Permit issued: September 18, 2023. Expiration date: December 30, 2023.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.**

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

*Contact: RA-EPEASTERNOGPRG@pa.gov.*

**E5929223-001. Repsol Oil & Gas USA**, 337 Daniel Zenker Drive, Horsheads, NY 14845, Union Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District.

Application received: April 26, 2023. Issued: September 13, 2023.

To construct, operate, and maintain:

1. (Stream 1) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 50 linear feet of an unnamed tributary to Sugar Works Rub (HQ—CWF) (Gleason, PA Quadrangle 41.637483°, -76.943487°);

2. (Wetland 1) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 4,449 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41.635148°, -76.943388°);

3. (Wetland 3) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 4,600 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41.632155°, -76.943505°);

4. (Wetland 4) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 936 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Gleason, PA Quadrangle 41.631416°, -76.943942°);

5. (Stream 15) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 58 linear feet of a Sugar Works Run (HQ—CWF) (Gleason, PA Quadrangle 41.630633°, -76.943874°);

6. (Stream 18) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 57 linear feet of an unnamed tributary to Sugar Works Run (HQ—CWF) (Gleason, PA Quadrangle 41.625245°, -76.942488°);

7. (Stream 15) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 58 linear feet of a Sugar Works Run (HQ—CWF) (Ralston, PA Quadrangle 41.623036°, -76.940325°);

8. (Stream 14) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 57 linear feet of an unnamed tributary to Sugar Works Run (HQ—CWF) (Ralston, PA Quadrangle 41.621128°, -76.937818°);

9. (Stream 6) A temporary road crossing using timber mats and two 12-inch diameter natural gas pipelines impacting 56 linear feet of an unnamed tributary to Sugar Works Run (HQ—CWF) (Ralston, PA Quadrangle 41.621129°, -76.93693°).

The project will result in 336 linear feet of temporary stream impacts, 9,049 square feet (0.21 acre) of temporary wetland impacts and 936 square feet of permanent wetland impacts all for the purpose of installing a natural gas pipeline in Union Township, Tioga County.

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

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

**E4502223-007. William Gillard**, 461 Wigard Avenue, Philadelphia, PA 19128, Tobyhanna Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a 20-foot wide by 15-foot long section of floating dock within the basin of Arrowhead Lake (EV). The project is located at 7540 Lakeshore Drive in Arrowhead Lake Community (Thornhurst, PA Quadrangle Latitude: 41.154768; Longitude -75.577242) in Tobyhanna Township, Monroe County. Application received: June 5, 2023. Issued: September 14, 2023.

**E4502223-004. Sean Pincus**, 266 Krams Avenue, Philadelphia, PA 19128, Coolbaugh Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District.

To permanently impact 0.01 acre of PFO EV wetland for the purposes of construction a 12-foot wide by 50-foot long driveway crossing and construction of a 4-foot by 40-foot long elevated wooden walkway to provide access to Arrowhead Lake. Project also includes the construction and maintenance of a 15-foot long by 10-foot wide floating dock in Arrowhead Lake. The project is located in Arrowhead Lake Community, Lot 32, Block A-41, Section 10MN (Parcel 03.20A.1.68) along Lake Shore Drive approximately 270-feet West of intersection with N. Arrow Drive in Coolbaugh Township, Monroe County. (Thornhurst PA Quadrangle; Latitude: 41.157772, Longitude: -75.562430). Application received: April 28, 2023. Issued: September 12, 2023.

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.*

**E4601223-012. Upper Providence Township**, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 726, 745, 811, and 820 Port Providence Road, 305 Hollow Road, and 110, 127, and 129 Walnut Street in Phoenixville and Mont Clare (Phoenixville, PA, USGS Quadrangle and Collegeville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.135647 and 40.130634°, Longitude: 75.506312 and -75.497002°. Application received: March 7, 2023. Issued: September 15, 2023.

**E4601223-013. Upper Providence Township**, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 320, 415, 444, and 460 Port Providence Road in Phoenixville (Phoenixville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.146647°, Longitude: -75.517312°. Application received: March 7, 2023. Issued: September 13, 2023.

**E4601223-014. Upper Providence Township**, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 215 and 259 Canal Street, 248 and 258 Walnut Street, and 109 Store Street in Phoenixville and Mont Clare (Phoenixville, PA, USGS Quadrangle and Collegeville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.125647 and 40.190634°, Longitude: -75.596312 and -75.617002°. Application received: March 9, 2023. Issued: September 13, 2023.

**E4601223-015. Upper Providence Township**, 1286 Black Rock Road, Phoenixville, PA 19460, Upper Providence Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To demolish and remove the existing houses, accessory structure, foundations, pads, and other site improvements and maintain as an open lawn ground with native trees and vegetation along the floodplain of the Schuylkill River (WWF-MF) associated with the Floodplain Management Site Restoration. The site is located at 206, 300, and 304 Hollow Road, and 805 and 905 Port Providence Road (Collegeville, PA, USGS Quadrangle) in Upper Providence Township, Montgomery County. Latitude: 40.210634°, Longitude: -75.427902°. Application received: March 9, 2023. Issued: September 15, 2023.

**E5101222-013. Moran Towing of Philadelphia**, 1411 Admiral Peary Way, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District.

To perform the following-listed water obstruction and encroachment activities associated with Moran Towing of Philadelphia for the site Pier 1—Philadelphia Navy Yard. The proposed activities include the following: 1) Remove remaining existing fender members around the perimeter of the pier. 2) Encapsulate and stabilize the existing structure inside a new steel sheet pile bulkhead (approximately 1,000 linear feet). The perimeter of the pier will be constructed as an anchored steel sheet pile. The upriver and downriver sides of the pier will be tied to each other using anchor rods. The outshore end will be anchored to an internal sheet pile wall constructed inshore and parallel to the outshore wall, or it will be cantilevered to eliminate the internal wall. The sheet pile will be located approximately 2.5 to 3 feet from the existing upriver and downriver pier and the sheet pile on

the outshore end will be located approximately 4 to 5 feet from the existing outshore end. 3) Place stone fill between the existing timber sheeting and the proposed steel bulkhead to engage the bulkhead to an elevation of mean low water, then place concrete fill from mean low water to the top of the existing seawall. 4) Perform excavation, as required, to place flowable fill beneath the timber decking to fill voids present between the timber decking and the mudline below. The amount of flowable fill required is unknown but will only be required in an approximately 3,600-square-foot portion of the pier. An engineer's estimate of flowable fill required is 7,800 cubic yards. 5) Place utilities for shore power. 6) New asphalt on the pier and within the floodway after utility and tie rod installation. 7) Apply coatings and other treatments to protect the new steel structural elements from corrosion and to enhance the pier's appearance. 8) The exterior appearance of the pier will be steel sheeting with a fender system installed where the vessels will be berthing. 9) Stormwater runoff will be captured by trench drains located along the perimeter that are routed to a water-quality, pollutant reducing device before discharging. 10) The redevelopment of the pier will necessitate the removal of an existing 12" stormwater line that outfalls at the southern edge of Pier 1. A new 12-stormwater line from an existing manhole in the sidewalk adjacent to Admiral Peary Way will discharge to a new 12-inch outfall (Stormwater No. 1 Outfall) is proposed just east of Pier 1 along the Admiral Peary Way bulkhead. 11) Stormwater Outfall No. 2 is an existing outfall that will be in the same location as the existing PWD Stormwater Outfall S-007-42 (at the outshore, southern end of the pier). However, a new 12" line will extend (approximately 7.5 feet) through the new bulkhead and discharge directly to the river. 12) A new proposed maintenance building approximately 3,255 SF will be in the southern part of the pier. The site is located at the Navy Yard, Pier 1, Delaware River (WWF), near the intersection of Terminal Avenue and South Broad Street (Philadelphia, PA USGS Map) in the City and County of Philadelphia. Latitude: 39.886789°, Longitude: -75.175461°. Application received: September 8, 2022. Issued: September 13, 2023.

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

*Contact: Dana Drake, Program Manager.*

**E56-391. Shade Creek Watershed Association**, 1221 No. 1 Road, Cairnbrook, PA 15924, Somerset Township, **Somerset County**. U.S. Army Corps of Engineers Pittsburgh District.

Latitude: 40° 03' 45", Longitude: -78° 47' 54". Application received: March 9, 2022. Issued: September 14, 2023.

**E56-391, Shade Creek Watershed Association**, 1221 No. 1 Road, Cairnbrook, PA 15924, Shade Township, **Somerset County**, Pittsburgh ACOE District

Application notice was published under Permit Number E5605222-022.

The applicant has been given consent to: Amend previously authorized permit number E56-391, which authorized the permittee to:

1. Construct and maintain two rock cross vane fish habitat structures within Coal Run (CWF).
2. Construct and maintain a 15" diameter intake structure within Coal Run.

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

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

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

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

**E0305221-022. PPG Industries, Inc.**, 4829 Fairland Road, Barberton, OH 44203, North Buffalo Township, **Armstrong County**. U.S. Army Corps of Engineers Pittsburgh District.

Latitude: 40° 45' 29", Longitude: -79° 33' 14". Application received: December 7, 2021. Issued: September 14, 2023.

The applicant has been given consent to:

1. Abandon in place an existing 200 LF 30-inch diameter cement enclosure of a UNT to the Allegheny River and construct a replacement 176 LF 30-inch HDPE culvert adjacent to the existing enclosure to be abandoned;

2. Construct, operate, and maintain a new 23 LF stone-lined channel and inlet conveying the UNT to the aforementioned replacement 30-inch diameter stream enclosure;

3. Construct, operate, and maintain a new 25 LF stone-lined channel to connect the outlet of the new enclosure to the existing unnamed tributary;

4. Construct, operate and maintain 149 LF of bank stabilization on an existing water course, following the aforementioned existing enclosure to be abandoned in place, consisting of gabion baskets and reno mattresses;

5. Repair a sink hole that formed under the existing aforementioned stream enclosure with 25 cubic yards of fill.

For the purpose of constructing and maintaining an environmental remediation project which will result in 173 LF of permanent stream impacts and 0.08 acre of associated floodway impacts, and 0.01 acre of temporary floodway impacts.

The project site is located west of the Ford City Veterans Bridge and south of SR-128 (Kittanning, PA USGS topographic quadrangle; N: 40°, 45', 29"; W: -79°, 33', 14"; Sub-basin 17E; USACE Pittsburgh District), in North Buffalo Twp., Armstrong County.

**E6305222-010. Robert Cain**, 362 Kennedy Road, Charleroi, PA 15022, Fallowfield Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: Maintain fill in the floodway of an unnamed tributary to South Branch of Maple Creek. The length of fill is 102-feet and the

width of the fill is 28-feet. 0.065 acre of the floodway will be permanently impacted. The purpose of the fill is to create a building pad for an equipment storage facility. The project site is located at 362 Kennedy Road, (California, PA USGS topographic quadrangle; N: 40°, 07', 13"; W: -79°, 57', 02"; Sub-basin 19C). Latitude: 40° 07' 13", Longitude: -79° 57' 02". Application received: August 23, 2022. Issued: September 19, 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-EPEASTERNOPRGR@pa.gov.

#### ESCGP # 3 ESG29081180019

Applicant Name **EXCO Resources PA, LLC**

Contact Person Philip Points

Address 12377 Merit Dr, Suite 1700

City, State, Zip Dallas, TX 75251

Township(s) Watson Township

County **Lycoming County**

Receiving Stream(s) and Classification(s) North Fork Tomb's Run (CWF) and Pike Creek (CWF)

Secondary: Pine Creek (EV)

Application received: August 30, 2023

Issued: September 14, 2023

#### ESCGP # 3 ESX29081180022

Applicant Name **EXCO Resources PA, LLC**

Contact Person Philip Points

Address 12377 Merit Dr, Suite 1700

City, State, Zip Dallas, TX 75251

Township(s) Penn Township

County **Lycoming County**

Receiving Stream(s) and Classification(s) Beaver Run (CWF)

Secondary: Susquehanna River (WWF)  
Application received: August 23, 2023  
Issued: September 14, 2023

**ESCGP # 3 ESG295923014-00**

Applicant Name **Seneca Resources Co, LLC**

Contact Person Douglas Kepler

Address 51 Zents Boulevard

City, State, Zip Brookville, PA 15825-2701

Township(s) Middlebury Township

County **Tioga County**

Receiving Stream(s) and Classification(s) Losey Creek  
(WWF, MF), UNT to Crooked Creek (WWF, MF)

Application received: June 26, 2023

Issued: September 14, 2023

**ESCGP # 3 ESG294123016-00**

Applicant Name **PA General Energy Co, LLC**

Contact Person Nathan Harris

Address 120 Market Street

City, State, Zip Warren, PA 16365

Township(s) Cummings Township

County **Lycoming County**

Receiving Stream(s) and Classification(s) Unnamed Tributary to Bush Run (EV), Dry Run (HQ—CWF, MF)

Application received: August 16, 2023

Issued: September 14, 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 ESG076323010-00**

Applicant Name **MarkWest Liberty Midstream & Resources, LLC**

Contact Person Brian Elliot

Address 4600 J Barry Ct, Ste 500

City, State, Zip Canonsburg, PA 15317

Township(s) Buffalo Township

County **Washington County**

Receiving Stream(s) and Classification(s) Buffalo Creek and UNTs to Buffalo Creek (HQ—WWF)

Application received: July 14, 2023

Approved: September 14, 2023

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

*Contact: RA-EPSW-OGSUBMISSION@pa.gov.*

**ESCGP # 3 ESG076323008-00**

Applicant Name **CNX Midstream OPR Co, LLC**

Bassett, (724) 485-3647, robertbassett@cnx.com

Address 1000 Horizon Vue Drive

City, State, Zip Canonsburg, PA 15317

Township(s) Morris Township

County **Washington County and Greene County**

Receiving Stream(s) and Classification(s) 100: Lat 40.01062, Long -80.33480, Short Creek, Ch 93 Class TSF. 101: Lat 40.00311, Long -80.33182, UNT to Browns Creek, Ch 93 Class HW-WWF

Application received: June 2, 2023

Issued: September 14, 2023

**ESCGP # 3 ESG076323008-00**

Applicant Name **CNX Midstream OPR Co, LLC**

Contact Person Robert Bassett, (724) 485-3647

robertbassett@cnx.com

Address 0.03 mile west of Prosperity Pike and Harvey Rd

City, State, Zip Prosperity, PA 15329

Township(s) Morris Township

County **Washington County, Greene County**

Receiving Stream(s) and Classification(s) 100. Lat 40.01062, Long -80.33480, Short Creek, Ch 93 Class TSF 101. Lat 40.00311, Long -80.33182, UNT to Browns Creek, Ch 93 Class HQ—WWF

Application received: June 2, 2023

Issued: September 14, 2023

**ESCGP # 3 ESG076323009-00**

Applicant Name **MarkWest Liberty Midstream & Resources LLC—Vankirk to Mounts Road Station Pipeline**

Contact Person Brian Elliott, (724) 873-2893

bmelliott@marathonpetroleum.com

Address 0.2 mile south of Flag Lane and Mounts Road  
City, State, Zip Washington, PA 15301

Township(s) Buffalo Township, North Franklin Township,  
South Franklin Township

County **Washington County**

Receiving Stream(s) and Classification(s) 001. Lat 40.13322, Long -80.31714, UNT to Buffalo Creek, ch 93 Class HQ—WWF 002. Lat 40.13268, Long -80.31698, UNT to Buffalo Creek, ch 93 Class HQ—WWF 003. Lat 40.13691, Long -80.31288, UNT to Buffalo Creek, ch 93 Class HQ—WWF 004. Lat 40.14115, Long -80.30470, UNT to Chartiers Creek, ch 93 Class WWF.

Application received: June 9, 2023

Issued: September 19, 2023

*Contact: William Stevens, Clerical Supervisor 2, 412-442-4134.*

**ESCGP # 3 ESX160070005-01 B11 Gathering Line**

Applicant Name **ETC Northeast Fld Svc, LLC**

Contact Person Nicholas Bryan

Address 6051 Wallace Road Ext, Third Floor

City, State, Zip Wexford, PA 15090

Township(s) New Sewickley Township

County **Beaver County**

Classification(s) UNT to Brush Creek (WWF), Brush

Creek (WWF); Secondary Waters; Brush Creek/Conno-quesnessing Creek (WWF)

Application received: July 13, 2023

Issued: September 14, 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Archbald Express Mart**, Storage Tank Facility ID # **35-31756**, 377 North Main Street, Archbald, PA 18403, Archbald Borough, **Lackawanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Danyaal, LLC, 176 Teeple Place, South Plainfield, NJ 07080 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting site-specific standards.

**Hamm's Orefield Auto Parts**, Storage Tank Facility ID # **39-19927**, 2810 Route 309, Orefield, PA 18069, South Whitehall Township, **Lehigh County**. Keystone Environmental Health & Safety Services, 1111 12th Avenue, Altoona, PA 16601, on behalf of Debbie Long and Shirley Hamm, 3047 Woodlea Road, Orefield, PA 18069 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 standards.

**RV Beverage/Vamco Fuel Route 6&11 Property**, Storage Tank Facility ID # **35-27640**, 801 Northern Boulevard, Clarks Summit, PA 18411, South Abington Township, **Lackawanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Vamco Fuel Route 6 and 11, 107 Squirrel Run, Clarks Summit, PA 18411 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting site-specific standards.

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

*Contact: Chris, 724-598-2206.*

**GetGo 3131**, Storage Tank Facility ID # **10-90150**, 20110 Route 19, Cranberry Township, PA 16066, Cranberry Township, **Butler County**. PVE, LLC, 2000 Georgetown Dr, Suite 101, Sewickley, PA 15143, on behalf of Giant Eagle, Inc., 101 Kappa Dr, Pittsburgh, PA 15238 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 nonresidential 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.*

**7 Eleven 40093**, Storage Tank Facility ID # **15-20378**, 904 Kimberton Rd., Chester Springs, PA 19425, West Pikeland Township, **Chester County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 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 nonresidential Statewide health standards.

**Texaco 51 006 0000**, Storage Tank Facility ID # **23-45357**, Hook and Calcon Hook Rd., Sharon Hill, PA 19079, Darby Township, **Delaware County**. TRC Environmental, Inc., 1801 Market Street, Suite 1380, Philadelphia, PA 19103, on behalf of Brigaloon, Inc., 112 Chesley Drive, Suite 200, Media, PA 19063 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 nonresidential Statewide health standards.

**LC Drennen & Sons**, Storage Tank Facility ID # **15-06058**, S. 3rd St. and Mount Pleasant Rd., Oxford, PA 19363, East Nottingham Township, **Chester County**. ARM Brickhouse, 515 S. Franklin Street, West Chester, PA 19382, on behalf of McMichael, Heiney & Sebastian, LLC, P.O. Box 381, 208 E. Locust St., 3rd Floor, Oxford, PA 19363 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline & fuel oil No. 2. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

**7 Eleven 40093**, Storage Tank Facility ID # **15-20378**, 904 Kimberton Rd., Chester Springs, PA 19425, West Pikeland Township, **Montgomery County**. Petrodi LLC, 543 Oakshade Road, Shamong, NJ 08088, on behalf of Ramoco Marketing Group, P.O. Box 2218, Princeton, NJ 08584 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline, diesel fuel, and kerosene. 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**HO Mart 1**, Storage Tank Facility ID # **58-12207**, 242 Church Street, Montrose, PA 18801, Montrose Borough, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Hinds Oil Company, Inc., P.O. Box 100, Montrose, PA 18801 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was acceptable to meet the Statewide health standards and was approved by DEP on September 14, 2023.

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

*Contact: Cherie M. Campbell, Soil Scientist.*

**Former Rineharts Auto Sales**, Storage Tank Facility ID # **01-97859**, 443 York St, Gettysburg, PA 17325-2008, Gettysburg Borough, **Adams County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Boyd E. Rinehart Estate, 443 York St, Gettysburg, PA 17325-2008 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with Petroleum Constituents. The report demonstrated attainment of the Statewide health standards and was approved by DEP on September 15, 2023.

*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.*

**Turkey Hill 193**, Storage Tank Facility ID # **15-40730**, 2 E. Bridge Street, Spring City, PA 19475, Spring City Borough, **Chester County**. Liberty Environmental, Inc., 505 Penn Street, Reading, PA 19601, on behalf of Turkey Hill Minit Markets, LLC, 165 Flanders Rd., Westborough, MA 01581 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater

contaminated with unleaded gasoline. The report demonstrated attainment of the Statewide health standards and was approved by DEP on August 22, 2023.

**Springfield Enterprise**, Storage Tank Facility ID # **09-40360**, 1860 Route 212, Quakertown, PA 18951, Springfield Township, **Bucks County**. Center Point Tank Services, Inc., 536 E. Benjamin Franklin Highway, Douglasville, PA 19518, on behalf of Pleasant Valley/Springfield Enterprise, 1860 Route 212, Quakertown, PA 18951 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential did not demonstrate attainment of the Statewide health standards and was disapproved by DEP on August 22, 2023.

**Marcus Hook Term**, Storage Tank Facility ID # **23-14224**, 100 Green St., Marcus Hook, PA 19061, Marcus Hook Borough, **Delaware County**. Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of Energy Transfer Marketing & Terminals L.P., 100 Green Street, Marcus Hook, PA 19061 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with volatile organic compounds. The report residential and nonresidential did not demonstrate attainment of the Statewide health standards and was disapproved by DEP on August 28, 2023.

**Markus Hook Terminal**, Storage Tank Facility ID # **23-14224**, 100 Green St., Marcus Hook, PA 19061, Marcus Hook Borough, **Delaware County**. Stantec Consulting Services Inc., 1060 Andrew Drive, West Chester, PA 19380, on behalf of Energy Transfer Marketing & Terminals L.P., 100 Green Street, Marcus Hook, PA 19061 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with petroleum products. The report nonresidential did not demonstrate attainment of the Statewide health and site-specific standards and was disapproved by DEP on September 11, 2023.

**Biddle Air National Guard Base (ST001)**, Storage Tank Facility ID # **46-25723**, 2164 McGuire St., Horsham, PA 19044, Horsham Township, **Montgomery County**. Montrose Environmental, 500 Horizon Drive, Suite 540, Robbinsville, NJ 08691, on behalf of Air Force Civil Engineering Center—Environmental Management Division, 3515 S. General McMullen, San Antonio, TX 78226 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on September 13, 2023.

**Global Montello Group 3429**, Storage Tank Facility ID # **23-42808**, 799 Upland Ave., Upland, PA 19015, Upland Borough, **Delaware County**. Geo-Enviro Consulting & Remediation LLC, 371 Hoes Lane, Suite 200, Piscataway, NJ 08854, on behalf of Greyhound Upland Petroleum Storage Company, 799 Upland Avenue, Upland, PA 19015 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan residential and nonresidential was acceptable to meet the Statewide health and site-specific standards and was approved by DEP on September 13, 2023.

[Pa.B. Doc. No. 23-1332. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### 2023 Sewage Enforcement Officer Certification Examination and Board Meeting Schedule Changes

The Sewage Enforcement Officer (SEO) certification examination scheduled for Friday, October 20, 2023, and the State Board for Certification of Sewage Enforcement Officers (Board) meeting scheduled to be held on Wednesday, November 1, 2023, have been cancelled.

The Board and the Department of Environmental Protection (Department) have scheduled additional examination dates for 2023. To qualify to sit for the certification examination, all SEO candidates must complete the Pre-Certification Soils Course and the Pre-Certification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct, by close of business on the deadline indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for the examination. The information for the additional examination dates are as follows:

<i>Examination Date:</i>	Friday, October 27, 2023 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
<i>Examination Application Deadline:</i>	Friday, October 13, 2023
<i>Location:</i>	Penn State Extension Lehigh County Agricultural Center 4184 Dorney Park Road # 104 Allentown, PA 18104
<i>Examination Date:</i>	Friday, November 3, 2023 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
<i>Examination Application Deadline:</i>	Friday, October 20, 2023
<i>Location:</i>	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001

The Board is scheduled to meet on Wednesday, November 15, 2023, at 10 a.m. in the Rachel Carson State Office Building. Individuals may attend in person or remotely.

The SEO written examination contains 100 multiple-choice questions covering planning requirements, administration and enforcement of the permit program and technical criteria for soils and disposal systems with a 3.5-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination. Applicants are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department at RA-SEOTrng@pa.gov or (717) 772-2186.

Applicants will receive a confirmation e-mail from the Board prior to the date of the examination.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-5157 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss their request. This request must be submitted with the application form.

The contact is Chloe Wilson, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17110, RA-SEOTrng@pa.gov, (717) 772-2186.

RICHARD NEGRIN,  
*Secretary*

[Pa.B. Doc. No. 23-1333. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of National Pollutant Discharge Elimination System General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems (PAG-05)

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department), by this notice, informs the public of the availability of the final National Pollution Discharge Elimination System (NPDES) General Permit for Dis-

charges from Petroleum Product Contaminated Groundwater Remediation Systems (PAG-05) for a new 5-year term. The PAG-05 General Permit will become effective on December 29, 2023, and will expire on December 28, 2028.

The PAG-05 General Permit is intended to provide NPDES permit coverage to existing and proposed petroleum product contaminated groundwater remediation systems for the remediation of groundwater contaminated with gasoline or other petroleum products where eligibility requirements of the General Permit are met. The General Permit may not be used to cover other types of facilities with discharges resulting from treatment of groundwater contaminated with chlorinated solvents or other pollutants that are not associated with gasoline or other petroleum products.

Notice of the availability of a draft PAG-05 General Permit was published at 53 Pa.B. 2809 (May 20, 2023). A 30-day comment period was provided and interested parties were directed to submit comments to the Department's eComment system. The Department received comments from one individual. A comment and response document has been developed to address the comments received.

Permittees with existing coverage under the PAG-05 General Permit will be required to submit a renewal Notice of Intent (NOI) by December 28, 2023, to maintain continued coverage under the PAG-05 General Permit. The Department will transmit notification to all existing PAG-05 permittees explaining the changes to the terms and conditions of General Permit coverage and what steps must be taken for continued coverage.

The PAG-05 NOI fee is \$2,500 to be paid in \$500 annual increments. The NOI fee does not apply to entities satisfying the criteria for an exemption under 25 Pa. Code § 92a.26(i) (relating to application fees).

No significant changes were made to the final PAG-05 General Permit in comparison to the draft PAG-05 General Permit that was published at 53 Pa.B. 2809.

The PAG-05 General Permit package can be accessed online through the Department's eLibrary web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/) (select "Permit and Authorization Packages," then "Clean Water," then "PAG-05 Discharges from Petroleum Product Contaminated Groundwater Remediation Systems 3800-PM-BCW0171").

In accordance with 25 Pa. Code § 92a.84(c)(3) (relating to public notice of general permits), the Department will publish notice in the *Pennsylvania Bulletin* for every approval of coverage under the PAG-05 General Permit.

RICHARD NEGRIN,  
*Secretary*

[Pa.B. Doc. No. 23-1334. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Environmental Justice Public Comment Meeting; Time Change for October 26, 2023, Meeting

The Office of Environmental Justice's public comment meeting, which is scheduled for October 26, 2023, previously scheduled for 5 p.m. to 9 p.m., will be held from 6 p.m. to 8 p.m. The public comment meeting will take place at Drexel University, Anthony J. Drexel Picture Gallery, Main Building, Third Floor. Persons wishing to reserve time to present testimony at a meeting must contact Jennifer McLuckie at (717) 772-5633 or RA-EPOEJ@pa.gov at least 24 hours in advance of the hearing.

Information on how to access the virtual public comment meetings and additional information on the in-person comment meetings will be available on the Environmental Justice webpage and found through the Public Participation tab on the Department's web site at [www.dep.pa.gov/EJPolicyRevision](http://www.dep.pa.gov/EJPolicyRevision). Prior to each meeting, individuals are encouraged to visit the Environmental Justice webpage for the most current information for accessing each meeting.

Individuals wishing to observe the public comment meetings without providing testimony are also encouraged to access the Environmental Justice webpage and register in advance to ensure there is adequate space for both the virtual and in-person comment meetings. If time allows, attendees who haven't previously registered will be allowed to testify.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact (717) 772-5633 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RICHARD NEGRIN,  
*Secretary*

[Pa.B. Doc. No. 23-1335. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Public Comment Meeting on the Interim-Final Environmental Justice Policy and Pennsylvania Environmental Justice Mapping and Screening Tool (PennEnviroScreen) Methodology Document Public Comment Meeting; Time Change for October 18, 2023, Meeting

The Office of Environmental Justice's public comment meeting on the Interim-Final Environmental Justice Policy (015-0501-002) and Pennsylvania Environmental Justice Mapping and Screening Tool (PennEnviroScreen) Methodology Document (015-0501-003), which is scheduled for October 18, 2023, previously scheduled for 5 p.m. to 8 p.m., will be held from 6 p.m. to 8 p.m. The public comment meeting will take place at the Erie Center for Arts and Technology, Ada Lawrence Community Room, 650 East Avenue, Erie, PA 16503. Persons wishing to reserve time to present testimony at a meeting must contact Jennifer McLuckie at (717) 772-5633 or RA-EPOEJ@pa.gov at least 24 hours in advance of the hearing.

Information on how to access the virtual public comment meetings and additional information on the in-person comment meetings will be available on the Environmental Justice webpage and found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov/EJPolicyRevision](http://www.dep.pa.gov/EJPolicyRevision). Prior to each meeting, individuals are encouraged to visit the Environmental Justice webpage for the most current information for accessing each meeting.

Individuals wishing to observe the public comment meetings without providing testimony are also encouraged to access the Environmental Justice webpage and register in advance to ensure there is adequate space for both the virtual and in-person comment meetings. If time allows, attendees who haven't previously registered will be allowed to testify.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should con-

tact (717) 772-5633 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RICHARD NEGRIN,  
*Secretary*

[Pa.B. Doc. No. 23-1336. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.3 (relating to definitions):

Elm Terrace Gardens  
660 North Broad Street  
Lansdale, PA 19446  
FAC ID # 310802

Lebanon Valley Brethren Home  
1200 Grubb Street  
Palmyra, PA 17078  
FAC ID # 380602

Pleasant Ridge Manor West  
830 West Ridge Road  
Girard, PA 16417  
FAC ID # 311002

Robert Packer Hospital Skilled Care and Rehabilitation Center  
91 Hospital Drive  
Towanda, PA 18848  
FAC ID # 650202

Schuylkill Center  
1000 Schuylkill Manor Road  
Pottsville, PA 17901  
FAC ID # 453002

South Mountain Restoration Center  
10058 South Mountain Road  
South Mountain, PA 17261  
FAC ID # 453402

Watsontown Rehabilitation and Nursing Center  
245 East Eight Street  
Watsontown, PA 17777  
FAC ID # 110702

Wesley Enhanced Living Pennypack Park  
8401 Roosevelt Boulevard  
Philadelphia, PA 19152  
FAC ID # 311202

Wesley Enhanced Living at Stapeley  
6300 Greene Street  
Philadelphia, PA 19144  
FAC ID # 455502

Willowbrooke Court at Granite Farms Estates  
1343 West Baltimore Pike  
Wawa, PA 19063  
FAC ID # 073602

The Willows of Presbyterian Senior Care  
1215 Hulton Road  
Oakmont, PA 15139  
FAC ID # 161502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) and (k) (relating to electric requirements for existing construction):

The Ball Pavilion  
5416 East Lake Road  
Erie, PA 16511  
FAC ID # 540302

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

Twinbrook Healthcare and Rehabilitation Center  
3805 Field Street  
Erie, PA 16511  
FAC ID # 200602

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-DHPADNCFEXCEPT@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. 23-1337. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C. § 300d-52), will hold a public meeting on Friday, November 3, 2023, from 10 a.m. to 3 p.m. The meeting will be held in person at the Pennsylvania Training and Technical Assistance Network, 6340 Flank Drive, Harrisburg, PA 17112 in the Cambria conference room.

Meeting materials will be sent out before the meeting and will also be available on the Board's web site at <https://www.health.pa.gov/topics/disease/Pages/Traumatic-Brain-Injury.aspx> and at the meeting location. Contact Nicole Johnson at [nfjohnson@pa.gov](mailto:nfjohnson@pa.gov) with any questions.

The Department of Health's (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists

the Department in understanding and meeting the needs of persons living with traumatic brain injury and their families. This quarterly meeting will provide updates on a variety of topics including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic brain injury and available advocacy opportunities.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so

contact Nicole Johnson, Division of Community Systems Development and Outreach, (717) 772-2763, or for speech and/or hearing-impaired persons, contact V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 23-1338. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Medical Assistance Program Fee Schedule: Addition of Procedure Codes for Vaccine Administration

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 codes to the Medical Assistance (MA) Program Fee Schedule for vaccine administration. The effective dates and MA Fee for the codes are indicated as follows:

<i>Procedure Code</i>	<i>National Code Description</i>	<i>Effective Date</i>	<i>MA Fee</i>
90380	Respiratory syncytial virus, monoclonal antibody, seasonal dose; 0.5 mL dosage, for intramuscular use	10/1/23	\$10
90381	Respiratory syncytial virus, monoclonal antibody, seasonal dose; 1 mL dosage, for intramuscular use	10/1/23	\$10
90581	Anthrax vaccine, for subcutaneous or intramuscular use	10/1/23	\$10
90589	Chikungunya virus vaccine, live attenuated, for intramuscular use	1/1/24	\$10
90623	Meningococcal pentavalent vaccine, conjugated Men A, C, W, Y—tetanus toxoid carrier and Men B-FHbp, for intramuscular use	1/1/24	\$10
90678	Respiratory syncytial virus vaccine, preF, subunit, bivalent, for intramuscular use	10/1/23	\$10
90679	Respiratory syncytial virus vaccine, preF, recombinant, subunit, adjuvanted, for intramuscular use	10/1/23	\$10
90683	Respiratory syncytial virus vaccine, mRNA lipid nanoparticles, for intramuscular use	1/1/24	\$10
90738	Japanese encephalitis virus vaccine, inactivated, for intramuscular use	10/1/23	\$10
90758	Zaire ebolavirus vaccine, live, for intramuscular use	10/1/23	\$10

The Department will issue an MA bulletin to providers enrolled in the MA Program advising of the addition of the new Current Procedural Terminology codes to the MA Program Fee Schedule for vaccine administration.

#### *Fiscal Impact*

The estimated annualized cost beginning in Fiscal Year 2023-2024 is \$0.029 million in total funds.

#### *Public Comment*

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

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

VALERIE A. ARKOOSH,  
*Secretary*

**Fiscal Note:** 14-NOT-1592. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$13,000; (3) 1st Succeeding Year 2024-25 through 5th Succeeding Year 2028-29 are \$13,000; (4) 2022-23 Program—\$589,137,000; 2021-22 Program—\$644,059,000; 2020-21 Program—\$808,350,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 23-1339. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cash Flow Fast Play Game 5211

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Cash Flow (“Cash Flow”). The game number is PA-5211.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *CASH FLOW NUMBER*: The play symbol at the top of a Cash Flow Fast Play lottery ticket that, when matched against the play symbols in any “PIPE” in the “YOUR NUMBERS” area, determines whether a player wins the prize shown for that “PIPE.”

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *PIPE*: A specific, pre-defined portion of the “YOUR NUMBERS” area, which contains three play symbols in a horizontal line that, when matched against the “CASH FLOW NUMBER,” determines whether a player wins the prize shown for that PIPE.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket, which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(k) *Prize*: A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(m) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Cash Flow ticket is \$5.

4. *Description of the Cash Flow Fast Play lottery game*:

(a) The Cash Flow lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Cash Flow tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Cash Flow is played by matching the play symbols located in the “YOUR NUMBERS” area to the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Cash Flow is also played by matching any of the play symbols located in any “PIPE” in the “YOUR NUMBERS” area to the play symbol located in the “CASH FLOW NUMBER” area. A player matching play symbols in this manner will win the prize shown for that “PIPE.”

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) A Cash Flow game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Cash Flow game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Cash Flow game ticket and select the Cash Flow option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Cash Flow ticket characteristics*:

(a) A Cash Flow ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Each Cash Flow ticket play area will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “CASH FLOW NUMBER” area. The “YOUR NUMBERS” area also contains four separate “PIPE” areas, designated as “PIPE 1,” “PIPE 2,” “PIPE 3” and “PIPE 4.” The play symbols and their captions, located in the “WINNING NUMBERS” area, the “YOUR NUMBERS” area and the “CASH FLOW NUMBER” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO),

23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT).

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO) and PROG (TOP PRIZE). The prize symbols and their captions, located next to the four "PIPE" areas, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$300 (THR HUN) and \$1,000 (ONE THO).

(d) *Prizes:* The prizes that can be won, by matching any "YOUR NUMBERS" play symbol against any "WINNING NUMBERS" play symbol, in this game are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$300, \$1,000 and the "PROGRESSIVE TOP PRIZE." The prizes that can be won, by matching any "YOUR NUMBERS" play symbol in any of the four "PIPE" areas to the play symbol in the "CASH FLOW NUMBER" area are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$300 and \$1,000. The "PROGRESSIVE TOP PRIZE" amount starts at \$75,000 and increases by \$0.30 every time a Cash Flow ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$75,000. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 16 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 840,000 tickets will be available for sale for the Cash Flow lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Cash Flow prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of PROG (TOP PRIZE) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$75,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which the "CASH FLOW NUMBER" matches any of the "YOUR NUMBERS" play symbols in any "PIPE" and a prize of \$1,000 (ONE THO) appears in the "Prize" area for that "PIPE," on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300 (THR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(f) Holders of tickets upon which the "CASH FLOW NUMBER" matches any of the "YOUR NUMBERS" play symbols in any "PIPE" and a prize of \$300 (THR HUN) appears in the "Prize" area for that "PIPE," on a single ticket, shall be entitled to a prize of \$300.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which the "CASH FLOW NUMBER" matches any of the "YOUR NUMBERS" play symbols in any "PIPE" and a prize of \$100 (ONE HUN) appears in the "Prize" area for that "PIPE," on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which the "CASH FLOW NUMBER" matches any of the "YOUR NUMBERS" play symbols in any "PIPE" and a prize of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area for that "PIPE," on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(l) Holders of tickets upon which the "CASH FLOW NUMBER" matches any of the "YOUR NUMBERS" play symbols in any "PIPE" and a prize of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area for that "PIPE," on a single ticket, shall be entitled to a prize of \$30.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which the "CASH FLOW NUMBER" matches any of the "YOUR NUMBERS" play symbols in any "PIPE" and a prize of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area for that "PIPE," on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(p) Holders of tickets upon which the "CASH FLOW NUMBER" matches any of the "YOUR NUMBERS" play symbols in any "PIPE" and a prize of \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area for that "PIPE," on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the match-



ing “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which the “CASH FLOW NUMBER” matches any of the “YOUR NUMBERS” play symbols in any “PIPE” and a prize of \$10.00 (TEN DOL) appears in the “Prize” area for that “PIPE,” on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the “Prize” area under the match-

ing “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which the “CASH FLOW NUMBER” matches any of the “YOUR NUMBERS” play symbols in any “PIPE” and a prize of \$5.00 (FIV DOL) appears in the “Prize” area for that “PIPE,” on a single ticket, shall be entitled to a prize of \$5.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of YOUR NUMBERS match any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>“CASH FLOW”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 840,000 Tickets:</i>
	\$5	\$5	19.61	42,840
\$5		\$5	20	42,000
\$5 × 2		\$10	200	4,200
\$5	\$5	\$10	27.03	31,080
	\$5 × 2	\$10	100	8,400
	\$10	\$10	100	8,400
\$10		\$10	200	4,200
\$5 × 3		\$15	500	1,680
\$5	\$10	\$15	100	8,400
\$10	\$5	\$15	100	8,400
	\$5 × 3	\$15	500	1,680
	\$15	\$15	100	8,400
\$15		\$15	1,000	840
\$10 × 2		\$20	1,000	840
\$5 × 2	\$5 × 2	\$20	76.92	10,920
\$10	\$10	\$20	100	8,400
	\$10 × 2	\$20	1,000	840
	\$20	\$20	1,000	840
\$20		\$20	1,000	840
\$15 × 2		\$30	1,000	840
\$5 × 3	\$10 + \$5	\$30	200	4,200
\$10 × 2	\$5 × 2	\$30	1,000	840
	\$10 × 3	\$30	1,000	840
	\$30	\$30	1,000	840
\$30		\$30	1,000	840
\$5 × 4	\$15 + \$10 + \$5	\$50	1,600	525
\$10 × 3	(\$5 × 2) + \$10	\$50	1,600	525
\$15 × 2	\$10 × 2	\$50	1,600	525
\$15 + \$10 + \$5	\$15 + \$5	\$50	1,600	525
\$20 + \$15 + \$10	\$5	\$50	2,400	350
\$30	\$20	\$50	2,400	350
	\$50	\$50	6,000	140
\$50		\$50	15,000	56
\$50 × 2		\$100	17,143	49

<i>When Any Of YOUR NUMBERS match any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>"CASH FLOW":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 840,000 Tickets:</i>
$(\$5 \times 5) + \$20 + \$15 + \$10$	$(\$10 \times 2) + (\$5 \times 2)$	\$100	2,400	350
$(\$10 \times 5) + (\$5 \times 3) + \$15$	$(\$5 \times 2) + \$10$	\$100	2,400	350
$(\$20 \times 2) + (\$15 \times 3) + \$5$	$(\$5 \times 2)$	\$100	1,905	441
\$50	$\$30 + \$20$	\$100	12,000	70
\$50	\$50	\$100	12,000	70
	$\$50 \times 2$	\$100	12,000	70
	\$100	\$100	12,000	70
\$100		\$100	60,000	14
$\$100 \times 3$		\$300	120,000	7
$(\$20 \times 5) + (\$15 \times 5) + (\$10 \times 2)$	$\$50 + \$30 + \$20 + \$5$	\$300	15,000	56
$(\$30 \times 5) + (\$20 \times 5) + (\$5 \times 2)$	$(\$10 \times 2) + \$15 + \$5$	\$300	15,000	56
$(\$50 \times 2) + (\$20 \times 5) + (\$15 \times 5)$	$(\$5 \times 3) + \$10$	\$300	15,000	56
$(\$100 \times 2) + (\$5 \times 6)$	$\$30 + \$20 + \$15 + \$5$	\$300	120,000	7
$(\$100 \times 2) + (\$10 \times 5) + (\$5 \times 5)$	$(\$5 \times 3) + \$10$	\$300	17,143	49
	$\$100 \times 3$	\$300	120,000	7
	\$300	\$300	120,000	7
\$300		\$300	120,000	7
$(\$100 \times 4) + (\$50 \times 2)$	$(\$100 \times 2) + \$300$	\$1,000	280,000	3
$\$300 \times 3$	\$100	\$1,000	280,000	3
	\$1,000	\$1,000	840,000	1
\$1,000		\$1,000	840,000	1
\$75,000		\$75,000	280,000	3

CASH FLOW: When any of YOUR NUMBERS in any PIPE match the CASH FLOW NUMBER above, win prize shown for that PIPE. Each PIPE is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$0.30 from the sale of each Cash Flow ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be

verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Cash Flow game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The "PROGRESSIVE TOP PRIZE" and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a "PROGRESSIVE TOP PRIZE" being reset without the actual sale of a "PROGRESSIVE TOP PRIZE" winning ticket, all prize money that had accumulated into the "PROGRESSIVE TOP PRIZE" pool (i.e., \$0.30 from the sale of each ticket) shall be awarded as part of the next "PROGRESSIVE TOP PRIZE" won.

(d) Prizes payable to "PROGRESSIVE TOP PRIZE" winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to "PROGRESSIVE TOP PRIZE" winners, the "PROGRESSIVE TOP PRIZE" amount will be rounded up to the nearest \$0.50.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Cash Flow lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Cash Flow lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled

only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Cash Flow or through normal communications methods.

20. *Applicability:* This notice applies only to the Cash Flow lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 23-1340. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Mint Money Fast Play Game 5212

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Mint Money (“Mint Money”). The game number is PA-5212.

#### 2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *MINTY MATCH:* Two separate areas, each under a downward pointing arrow, on a Mint Money Fast Play lottery game ticket each containing one play symbol that, when matched according to the instructions, determines whether the player doubles any prize won in the “YOUR NUMBERS” area. The “PROGRESSIVE TOP PRIZE” cannot be doubled.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *PROGRESSIVE TOP PRIZE:* The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(l) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(m) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(n) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a Mint Money ticket is \$2.

4. *Description of the Mint Money Fast Play lottery game:*

(a) The Mint Money lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Mint Money tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Mint Money is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Mint Money tickets contain “MINTY MATCH” areas. Whenever the symbols appearing in each “MINTY MATCH” area match, the player will double any prize won in the “YOUR NUMBERS” area. The PROGRESSIVE TOP PRIZE cannot be doubled.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Mint Money tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Mint Money ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Mint Money ticket and select the Mint

Money option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Mint Money ticket characteristics:*

(a) Mint Money tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Mint Money tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and "MINTY MATCH" areas. The play symbols and their captions, located in the "WINNING NUMBERS" and the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions, located in the "MINTY MATCH" areas, are: Candy (CANDY) symbol, Leaf (LEAF) symbol, Chocolate (CHCLT) symbol, Peppermint (PPRMNT) symbol, Ice Cream (ICECREAM) symbol, Gum (GUM) symbol and a Cash (CASH) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and PROG (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$20, \$50, \$100, \$200 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$10,000 and increases by \$0.10 every time a Mint Money ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$10,000. Mint Money also contains a feature that can double the prize won. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to nine times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 960,000 tickets will be available for sale for the Mint Money lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Mint Money prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of PROG (TOP PRIZE) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$10,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING

NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which two matching symbols appear in the "MINTY MATCH" areas, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which two matching symbols appear in the "MINTY MATCH" areas, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which two matching symbols appear in the "MINTY MATCH" areas, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which two matching symbols appear in the "MINTY MATCH" areas, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which two matching symbols appear in the "MINTY MATCH" areas, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which two matching symbols appear in the "MINTY MATCH" areas, on a single ticket, shall be entitled to a prize of \$8.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2<sup>.00</sup>

(TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which two matching symbols appear in the “MINTY MATCH” areas, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
\$2	\$2	9.71	98,880
\$2 × 2	\$4	76.92	12,480
\$2 w/ MINTY MATCH	\$4	19.61	48,960
\$4	\$4	76.92	12,480
\$5	\$5	33.33	28,800
\$5 × 2	\$10	500	1,920
(\$2 × 3) + \$4	\$10	500	1,920
(\$4 × 2) + \$2	\$10	500	1,920
\$5 w/ MINTY MATCH	\$10	81.97	11,712
\$10	\$10	1,000	960
\$10 × 2	\$20	1,000	960
(\$5 × 2) + (\$4 × 2) + \$2	\$20	1,000	960
(((\$2 × 3) + \$4) w/ MINTY MATCH	\$20	909.09	1,056
(((\$4 × 2) + \$2) w/ MINTY MATCH	\$20	909.09	1,056
(\$5 × 2) w/ MINTY MATCH	\$20	909.09	1,056
\$10 w/ MINTY MATCH	\$20	909.09	1,056
\$20	\$20	1,000	960
(\$10 × 3) + \$20	\$50	12,000	80
(\$10 × 3) + (\$5 × 4)	\$50	12,000	80
(\$20 × 2) + (\$4 × 2) + \$2	\$50	12,000	80
(((\$4 × 3) + (\$2 × 4) + \$5) w/ MINTY MATCH	\$50	2,400	400
(((\$5 × 3) + \$10) w/ MINTY MATCH	\$50	2,400	400
(((\$10 × 2) + \$5) w/ MINTY MATCH	\$50	2,400	400
(\$20 + \$5) w/ MINTY MATCH	\$50	2,400	400
\$50	\$50	60,000	16
\$50 × 2	\$100	24,000	40
(\$10 × 4) + (\$4 × 2) + \$50 + \$2	\$100	24,000	40
(\$20 × 2) + (\$5 × 2) + \$50	\$100	24,000	40
(\$20 × 3) + (\$10 × 3) + (\$5 × 2)	\$100	24,000	40
(((\$4 × 4) + (\$2 × 2) + \$20 + \$10) w/ MINTY MATCH	\$100	8,000	120
(((\$5 × 4) + \$20 + \$10) w/ MINTY MATCH	\$100	8,000	120

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 960,000 Tickets:</i>
$((\$10 \times 3) + (\$5 \times 2) + (\$4 \times 2) + \$2)$ w/ MINTY MATCH	\$100	8,000	120
$((\$20 \times 2) + (\$5 \times 2))$ w/ MINTY MATCH	\$100	8,000	120
\$50 w/ MINTY MATCH	\$100	8,000	120
\$100	\$100	120,000	8
\$100 $\times$ 2	\$200	240,000	4
\$100 w/ MINTY MATCH	\$200	120,000	8
\$200	\$200	240,000	4
\$10,000	\$10,000	240,000	4

MINTY MATCH: Match 2 like symbols in the MINTY MATCH areas below, win 2 TIMES any prize won in the YOUR NUMBERS area! PROGRESSIVE TOP PRIZE is not multiplied.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by

the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *“PROGRESSIVE TOP PRIZE” restrictions:*

(a) An amount of \$0.10 from the sale of each Mint Money ticket will be accumulated in the “PROGRESSIVE TOP PRIZE” pool.

(b) *Prize Amount:* The amount of the “PROGRESSIVE TOP PRIZE” at the time a ticket is purchased can only be verified through the Lottery’s Central Computer System. Any advertisement or any materials describing the amount of the “PROGRESSIVE TOP PRIZE” are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Mint Money game, this notice and the data contained in the Lottery’s Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e., \$0.10 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

(e) The “PROGRESSIVE TOP PRIZE” amount is not multiplied.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Mint Money lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in

exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Mint Money lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Mint Money or through normal communications methods.

20. *Applicability:* This notice applies only to the Mint Money lottery game announced in this notice.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 23-1341. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Strike it Rich Fast Play Game 5210

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Strike it Rich (“Strike it Rich”). The game number is PA-5210.

2. *Definitions:*

(a) *20X BONUS:* The area at the top left of a Strike it Rich Fast Play lottery ticket containing one play symbol that, when played according to the instructions, determines whether the player multiplies any prize won in the “YOUR NUMBERS” area by 20 times. The “PROGRESSIVE TOP PRIZE” cannot be multiplied.



(b) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(c) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket, which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(j) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prizewinning ticket is sold.

(k) *Prize*: A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *WINNING GEM*: The area on the right of a Strike it Rich Fast Play lottery ticket containing one play symbol that, when matched against the play symbols in the "YOUR NUMBERS" area according to the instructions, determines whether the player wins the prize shown under the matching play symbol.

(m) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Strike it Rich ticket is \$20.

4. *Description of the Strike it Rich Fast Play lottery game*:

(a) The Strike it Rich lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Strike it Rich tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an autho-

rized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Strike it Rich is played by matching the play symbols located in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" play symbol. Whenever a matching "YOUR NUMBERS" play symbol is printed on a Cart symbol, the player wins all 20 prizes shown. A bet slip is not used to play this game.

(c) Strike it Rich is also played by matching the gem play symbols located in the "YOUR NUMBERS" area to the play symbol appearing in the "WINNING GEM" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" play symbol.

(d) Whenever a Pickaxe (20TIMES) symbol appears in the "20X BONUS" area, the player will multiply any prize won in the "YOUR NUMBERS" area by 20.

(e) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(f) A Strike it Rich game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Strike it Rich game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(h) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Strike it Rich game ticket and select the Strike it Rich option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

#### 5. *Strike it Rich ticket characteristics*:

(a) A Strike it Rich ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Each Strike it Rich ticket play area will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "WINNING GEM" area and a "20X BONUS" area.

(1) The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions, located in the "WINNING GEM" area, are: Topaz (TOPAZ) symbol, Dolomite (DOLOMITE) symbol, Zircon (ZIRCON) symbol, Emerald (EMERALD) symbol, Peridot (PERIDOT) symbol and an Amethyst (AMETHYST) symbol.

(2) The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8

(EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFIV), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Topaz (TOPAZ) symbol, Dolomite (DOLOMITE) symbol, Zircon (ZIRCON) symbol, Emerald (EMRALD) symbol, Peridot (PERIDOT) symbol and an Amethyst (AMETHYST) symbol.

(3) The play symbols and their captions, located in the "YOUR NUMBERS" area and printed on a Cart symbol, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT).

(4) The play symbols and their captions, located in the "20X BONUS" area, are: Dynamite (NOMULT) symbol, Cloud (NOMULT) symbol, 24K Gold (NOMULT) symbol, Stack of Coins (NOMULT) symbol, Gold Nugget (NOMULT) symbol, Miner (NOMULT) symbol and a Pickaxe (20TIMES) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and PROG (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000 and the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$350,000 and increases by \$1.40 every time a Strike it Rich ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$350,000. Strike it Rich contains a feature that can multiply the prize won. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 20 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 720,000 tickets will be available for sale for the Strike it Rich lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Strike it Rich prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of PROG (TOP PRIZE) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$350,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match the "WINNING GEM" play symbol and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a Pickaxe (20TIMES) symbol appears in the "20X BONUS" area, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match the "WINNING GEM" play symbol and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a Pickaxe (20TIMES) symbol appears in the "20X BONUS" area, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a Cart symbol appears under the matching "YOUR NUMBERS" play symbol and a prize symbol of \$1,000 (ONE THO) appears in two of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in ten of the "Prize" areas, a prize symbol of \$400 (FOR HUN) appears in seven of the "Prize" areas and a prize symbol of \$200 (TWO HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a Pickaxe (20TIMES) symbol appears in the "20X BONUS" area, on a single ticket, shall be entitled to a prize of \$2,000.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match the "WINNING GEM" play symbol and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a Pickaxe (20TIMES) symbol appears in the "20X BONUS" area, on a single ticket, shall be entitled to a prize of \$1,000.



(ee) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING GEM” play symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(ff) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(gg) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING GEM” play symbol and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(hh) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(ii) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING GEM” play symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
\$20 w/ WINNING GEM MATCH	\$20	33.33	21,600
\$20	\$20	10.87	66,240
\$30 w/ WINNING GEM MATCH	\$30	22.22	32,400
\$30	\$30	22.22	32,400
\$20 × 2	\$40	200	3,600
(\$20 w/ WINNING GEM MATCH) + \$20	\$40	43.48	16,560
\$40 w/ WINNING GEM MATCH	\$40	43.48	16,560
\$40	\$40	200	3,600
\$30 + \$20	\$50	500	1,440
(\$20 w/ WINNING GEM MATCH) + \$30	\$50	90.91	7,920
(\$30 w/ WINNING GEM MATCH) + \$20	\$50	90.91	7,920
\$50 w/ WINNING GEM MATCH	\$50	100	7,200
\$50	\$50	500	1,440
\$20 × 5	\$100	1,667	432
\$50 × 2	\$100	1,667	432
(((\$30 w/ WINNING GEM MATCH) × 2) + (\$20 × 2))	\$100	500	1,440
(((\$40 w/ WINNING GEM MATCH) × 2) + \$20)	\$100	500	1,440
(\$50 w/ WINNING GEM MATCH) + (\$30 w/ WINNING GEM MATCH) + \$20	\$100	476.19	1,512
(\$50 w/ WINNING GEM MATCH) × 2	\$100	500	1,440
\$100 w/ WINNING GEM MATCH	\$100	500	1,440
\$100	\$100	2,000	360
\$50 × 4	\$200	12,000	60
\$100 × 2	\$200	6,000	120
(\$30 × 4) + (\$20 × 4)	\$200	6,000	120
(\$50 × 2) + (\$40 × 2) + \$20	\$200	6,000	120
(((\$20 w/ WINNING GEM MATCH) × 2) + \$100 + \$40 + \$20)	\$200	4,000	180
(((\$30 w/ WINNING GEM MATCH) × 2) + (\$20 × 2) + \$100)	\$200	4,000	180

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
$((\$40 \text{ w/ WINNING GEM MATCH}) \times 2) + (\$30 \times 2) + (\$20 \times 3)$	\$200	4,000	180
$((\$50 \text{ w/ WINNING GEM MATCH}) \times 2) + (\$30 \times 2) + (\$20 \times 2)$	\$200	4,000	180
$(\$100 \text{ w/ WINNING GEM MATCH}) \times 2$	\$200	4,000	180
\$200 w/ WINNING GEM MATCH	\$200	4,000	180
\$200	\$200	12,000	60
$\$100 \times 4$	\$400	24,000	30
$\$200 \times 2$	\$400	24,000	30
$(\$50 \times 2) + (\$40 \times 5) + (\$20 \times 5)$	\$400	6,000	120
$((\$50 \text{ w/ WINNING GEM MATCH}) \times 2) + (\$40 \times 5) + (\$30 \times 2) + (\$20 \times 2)$	\$400	12,000	60
$((\$100 \text{ w/ WINNING GEM MATCH}) \times 2) + (\$50 \times 2) + (\$20 \times 5)$	\$400	12,000	60
$(\$200 \text{ w/ WINNING GEM MATCH}) \times 2$	\$400	12,000	60
$(\$20 \text{ w/ WINNING GEM MATCH}) \text{ w/ PICKAXE SYMBOL}$	\$400	4,000	180
\$20 w/ PICKAXE SYMBOL	\$400	1,333	540
\$400 w/ WINNING GEM MATCH	\$400	24,000	30
\$400	\$400	24,000	30
CART w/ $((\$30 \times 10) + (\$20 \times 10))$	\$500	8,000	90
CART w/ $((\$50 \times 2) + (\$30 \times 4) + (\$20 \times 14))$	\$500	8,000	90
$\$50 \times 10$	\$500	24,000	30
$\$100 \times 5$	\$500	24,000	30
$(\$40 \times 5) + (\$30 \times 5) + (\$20 \times 5) + \$50$	\$500	24,000	30
$((\$100 \text{ w/ WINNING GEM MATCH}) \times 2) + (\$40 \times 3) + (\$20 \times 5) + \$50 + \$30$	\$500	12,000	60
$((\$200 \text{ w/ WINNING GEM MATCH}) \times 2) + (\$20 \times 5)$	\$500	12,000	60
\$500 w/ WINNING GEM MATCH	\$500	12,000	60
\$500	\$500	24,000	30
CART w/ $((\$30 \times 7) + (\$20 \times 10) + \$500 + \$50 + \$40)$	\$1,000	24,000	30
CART w/ $((\$100 \times 5) + (\$40 \times 10) + (\$20 \times 5))$	\$1,000	24,000	30
$\$100 \times 10$	\$1,000	120,000	6
$\$500 \times 2$	\$1,000	60,000	12
$(\$400 \times 2) + (\$40 \times 2) + \$100 + \$20$	\$1,000	60,000	12
$(\$30 + \$20) \text{ w/ PICKAXE SYMBOL}$	\$1,000	30,000	24
$(\$50 \text{ w/ WINNING GEM MATCH}) \text{ w/ PICKAXE SYMBOL}$	\$1,000	30,000	24
\$50 w/ PICKAXE SYMBOL	\$1,000	24,000	30
\$1,000 w/ WINNING GEM MATCH	\$1,000	60,000	12
\$1,000	\$1,000	60,000	12
CART w/ $((\$1,000 \times 2) + (\$500 \times 10) + (\$400 \times 7) + \$200)$	\$10,000	360,000	2
$(\$50 \times 10) \text{ w/ PICKAXE SYMBOL}$	\$10,000	360,000	2
$(\$100 \times 5) \text{ w/ PICKAXE SYMBOL}$	\$10,000	360,000	2

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
(\$500 w/ WINNING GEM MATCH) w/ PICKAXE SYMBOL	\$10,000	360,000	2
\$500 w/ PICKAXE SYMBOL	\$10,000	360,000	2
\$10,000 w/ WINNING GEM MATCH	\$10,000	720,000	1
\$10,000	\$10,000	720,000	1
PROGRESSIVE TOP PRIZE	\$350,000*	240,000	3

When a "Cart" symbol appears under a winning match, win all 20 prizes shown!

When a "Pickaxe" (20TIMES) symbol appears to the left, multiply any prize won in the YOUR NUMBERS area by 20 TIMES and win that amount!

GEM-AZING! When the WINNING GEM matches any gem in the YOUR NUMBERS area, win prize shown under the matching gem automatically!

\*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$350,000. The PROGRESSIVE TOP PRIZE increases by \$1.40 every time a ticket is purchased and resets to \$350,000 whenever a top prize-winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will

be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *“PROGRESSIVE TOP PRIZE” restrictions:*

(a) An amount of \$1.40 from the sale of each Strike it Rich ticket will be accumulated in the “PROGRESSIVE TOP PRIZE” pool.

(b) *Prize Amount:* The amount of the “PROGRESSIVE TOP PRIZE” at the time a ticket is purchased can only be verified through the Lottery’s Central Computer System. Any advertisement or any materials describing the amount of the “PROGRESSIVE TOP PRIZE” are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Strike it Rich game, this notice and the data contained in the Lottery’s Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e., \$1.40 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

(e) The “PROGRESSIVE TOP PRIZE” amount is not multiplied.

15. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Strike it Rich lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in inter-

pretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer’s license without the Lottery’s prior written authorization.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Strike it Rich lottery game tickets.

18. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Strike it Rich or through normal communications methods.

20. *Applicability:* This notice applies only to the Strike it Rich lottery game announced in this notice.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 23-1342. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Public Utility Realty Tax Act (PURTA); Surcharge Rate Notice for the Tax Year Beginning January 1, 2024

Section 1111-A(d) of the Tax Reform Code of 1971 (act) (72 P.S. § 8111-A(d)) requires the Secretary of Revenue to publish the rate of the Public Utility Realty Tax Act (PURTA) surcharge in the form of a notice in the

*Pennsylvania Bulletin* by October 1, 2003, and by each October 1 thereafter. The tax rate established in section 1111-A(d) of the act shall be imposed upon gross receipts taxes as provided in section 1111-A(c) of the act for the period beginning the next January 1.

The result of the PURTA surcharge calculation provided in section 1111-A of the act for the tax year beginning January 1, 2024, is zero mills (0.0000). Therefore, no PURTA surcharge under section 1111-A(d) of the act will be imposed for the taxable period beginning January 1, 2024.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 23-1343. Filed for public inspection September 29, 2023, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Multimodal Transportation Fund; Invitation to Submit Applications

The Department of Transportation (Department) is providing notice to eligible applicants that it is accepting Multimodal Transportation Fund (MTF) applications under 74 Pa.C.S. § 2105 (relating to project selection criteria), which establishes a competitive grant program for the MTF. The deadline for application submittal is November 13, 2023.

Additional information, guidelines and frequently asked questions can be obtained on the Department's web site at [www.penndot.gov](http://www.penndot.gov) (select "Projects & Programs" then "Multimodal Program").

Applications should be submitted electronically through the Electronic Single Application for assistance at <https://www.esa.dced.state.pa.us/Login.aspx>.

Questions related to the MTF Program may be directed to David Bratina, PennDOT Office of Multimodal Transportation, 400 North Street, 8th Floor, Harrisburg, PA 17120, (717) 705-1230, RA-PDMultimodalFund@pa.gov.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 23-1344. Filed for public inspection September 29, 2023, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Data Submission and Collection

Under section 1(a)(2) of the Health Care Cost Containment Act (act) (35 P.S. § 3305(a)(2)), the Health Care Cost Containment Council is required to publish a list of diseases, procedures and medical conditions, not to exceed 35, for which data under subsections (c)(21) and (d) shall be required.

The list of 35 diseases, procedures and medical conditions follows:

1. Heart Attack
2. Heart Failure
3. Chest Pain
4. Abnormal Heartbeat
5. Coronary Bypass
6. Heart Valve Replacement
7. Percutaneous Transluminal Coronary Angioplasty
8. Pneumonia
9. Asthma
10. Respiratory Failure
11. Blood Clot in Lung
12. Lung Repair
13. Hypotension
14. Blood Clot in Extremities
15. Vascular Repair
16. Stroke
17. Removal of Blockage in Head and Neck Vessel
18. Craniotomy
19. Diabetes
20. Digestive Disease
21. Liver Disease
22. Colorectal Repair
23. Gallbladder Removal
24. Stomach and Small Intestine Repair
25. Kidney Failure
26. Kidney and Urinary Tract Infection
27. Prostatectomy
28. Medical Back
29. Major Joint Repair
30. Neck/Back Repair
31. Breast Cancer
32. Hysterectomy
33. Infectious Disease
34. Ventilation for Respiratory Disease
35. Tracheostomy

BARRY BUCKINGHAM,  
*Executive Director*

[Pa.B. Doc. No. 23-1345. Filed for public inspection September 29, 2023, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled a special Council meeting at 10 a.m. on October 6, 2023. An agenda will be available 24 hours in advance at <https://www.phc4.org/about-the-council/council-meetings/>.



The public is invited to participate. Contact [rgreenawalt@phc4.org](mailto:rgreenawalt@phc4.org) at least 24 hours in advance for participation instructions.

BARRY BUCKINGHAM,  
*Executive Director*

[Pa.B. Doc. No. 23-1346. Filed for public inspection September 29, 2023, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **Alleged Violation of Insurance Laws; Kareemah Thompson; Doc. No. SC23-09-005**

Notice is hereby given of the Order to Show Cause issued on September 19, 2023, by the Deputy Insurance Commissioner of the Commonwealth in the previously referenced matter. Violations of the following are alleged: sections 611-A(1), (8) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1), (8) and (20) and 310.78(a)).

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](mailto: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](mailto:jkorman@pa.gov), (717) 787-4429.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 23-1347. Filed for public inspection September 29, 2023, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **Appeal of Puri, LLC under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2022-0049; Doc. No. UT23-09-004**

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant provisions of law.

A prehearing telephone conference initiated by this office is scheduled for October 24, 2023, at 1 p.m. Each party shall provide the Hearings Administrator a tele-

phone number to be used for the telephone conference on or before October 20, 2023. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be electronically filed with the Hearings Administrator on or before October 10, 2023. The e-mail address to be used for the Administrative Hearings Office is [ra-hearings@pa.gov](mailto:ra-hearings@pa.gov). Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before October 20, 2023.

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

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 23-1348. Filed for public inspection September 29, 2023, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **State Farm Mutual Automobile Insurance Company; Rate Increase Filing for the 97045PA.1 LTC Series (STLH-133791963); Rate Filing**

State Farm Mutual Automobile Insurance Company is requesting approval to increase the premium an aggregate 14.7% on 937 policy holders with LTC series 97045PA.1.

Unless formal administrative action is taken prior to December 5, 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](http://www.insurance.pa.gov). To view these filing notices, hover the cursor over the word "Consumers," then select "Other Rate Filings," then select "Pending Long Term Care Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 20 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 23-1349. Filed for public inspection September 29, 2023, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### **Damage Prevention Committee Nominations**

The Pennsylvania Public Utility Commission (Commission) is authorized by the act of October 30, 2017 (P.L. 806, No. 50) (Act 50), to enforce provisions of the act of December 10, 1974 (P.L. 852, No. 287), also known as the Underground Utility Line Protection Law or the One

Call Law. Included in Act 50 is the creation of a Damage Prevention Committee (Committee), which meets regularly to review alleged violations of Act 50 and makes determinations as to the appropriate response including, but not limited to, the issuance of warning letters or administrative penalties.

The Commission is currently accepting nominations for Committee representatives from each of the following industries:

1. Nonmunicipally owned or affiliated facility owner industries—natural gas or petroleum pipeline industry—nominated by facility owners or affiliated organizations (1 position).
2. Nonmunicipally owned or affiliated facility owner industries—electric—nominated by facility owners or affiliated organizations (1 position).
3. Excavators—nominated by excavators or affiliated organizations (1 position).
4. Municipal authorities—nominated by municipal authorities or affiliated organizations (1 position).

Forms and instructions for submitting nominations are available on the Commission's web site at <https://www.puc.pa.gov/pipeline/damage-prevention-committee/>. Completed nominations forms must be submitted directly to the Secretary of the Commission, Rosemary Chiavetta, at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov). Nominations must be received by close of business at 4:30 p.m., on October 30, 2023.

Appointments to the Committee will begin in January of 2024, and persons appointed to the Committee must have the appropriate level of expertise within the operation of Act 50.

Each member will be appointed for a single term of 3 years. After the term is completed, members seeking to remain on the Committee are required to reapply for Committee membership.

Questions regarding nominations for the Commission's Committee should be directed to Sara Locke, Supervisor, [salocke@pa.gov](mailto:salocke@pa.gov), (717) 772-8584.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 23-1350. Filed for public inspection September 29, 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 October 16, 2023. Filings must 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 October 16, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether

it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the listed docket number as follows 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-2023-3042424. Perfect Care Transport, LLC** (4871 Summerdale Avenue, Unit # 3C, Philadelphia, Philadelphia County, PA 19124) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, between points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia.

**A-2023-3042477. Bowman Hauling, LLC** (217 Pittsburgh Valley Road, Conestoga, Lancaster County, PA 17516) to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

**A-2023-3042642. Silverbird Home Care Services, LLC** (2802 Rawle Street, Philadelphia, Philadelphia County, PA 19149) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service who are disabled or 65 years of age and older, from points in the Counties of Bucks, Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2023-3042956. PJA, Inc., d/b/a Hansen's Errand Service** (P.O. Box 8503, Erie, Erie County, PA 16505) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Mercer County, to points in Pennsylvania, and return.

**A-2023-3043103. James Hartsell** (37 Old Forge Drive, Elizabethtown, Lancaster County, PA 17022) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating a motor vehicle, between points in Lancaster County.

### Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

**A-2023-3043095. Cullen Moving & Storage, LLC** (11 Rosalie Lane, Aston, Delaware County, PA 19014) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

### Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

**A-2023-3043098. Eugene Saunder, t/a E. L. Saunder** (558 Ridge Avenue, Ephrata, Lancaster County, PA 17522) for the cancellation and discontinuance of the right, to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating a

motor vehicle, between points in Lancaster County, as originally docketed at A-2020-3019508.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 23-1351. Filed for public inspection September 29, 2023, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2023-3043132. NextGen Communications, Inc. and the Rural Local Exchange Carriers.** Joint petition of NextGen Communications, Inc. and the Rural Local Exchange Carriers for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

NextGen Communications, Inc. and the Rural Local Exchange Carriers, by their counsel, filed on September 19, 2023, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of NextGen Communications, Inc. and the Rural Local Exchange Carriers joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kimberly Hafner, Director, Office of Special Assistants, (717) 705-3822.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 23-1352. Filed for public inspection September 29, 2023, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Wastewater Service; Correction for A-2022-3037047

On September 19, 2023, it was discovered that publication of the application filed by the Pennsylvania-American Water Company (PA American)—Wastewater Division section 1329 application for the acquisition of Butler Area Sewer Authority's Wastewater System Assets, at the previously referenced docket number, was inadvertently not published in the *Pennsylvania Bulletin* scheduled for publication in the June 10, 2023, edition.

The record at the previously listed docket number shows that all customers were provided individual notification through billing inserts. PA American provided proof of publication on May 22, 2023, that the application had been published in all newspapers of local circulation in the areas affected by the application. At 6 p.m. on both dates of July 18, 2023, and July 19, 2023, the Office of

Administrative Law Judge held two separate public input hearings which were well attended and provided opportunity to all customers to voice any concerns, support or opposition to the application.

Therefore, to correct the record, and in an abundance of caution to ensure due process to satisfy the requirements of 52 Pa. Code § 5.14(a) the Commission will proceed with publishing the attached notice in the *Pennsylvania Bulletin*. This notice will appear in the September 30, 2023, issue.

**A-2022-3037047. Pennsylvania-American Water Company—Wastewater Division.** In the matter of Pennsylvania-American Water Company—Wastewater Division, under 66 Pa.C.S. § 1329 (relating to valuation of acquired water and wastewater systems) application for the acquisition of Butler Area Sewer Authority's wastewater system assets.

Appropriate filings must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 5, 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](http://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 the hours of 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at [www.puc.pa.gov](http://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, 852 Wesley Drive, Mechanicsburg, PA 17055

*Through and By Counsel for:* Elizabeth Rose Triscari, Esquire, Erin K. Fure, Esquire, 852 Wesley Drive, Mechanicsburg, PA 17055, Elizabeth.Triscari@amwater.com, Erin.Fure@amwater.com

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 23-1353. Filed for public inspection September 29, 2023, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Wastewater Service; Telephonic Prehearing Conference

**A-2021-3024058. Pennsylvania-American Water Company—Wastewater Division.** In the matter of Pennsylvania-American Water Company—Wastewater Division under 66 Pa.C.S. § 1329 (relating to valuation of acquired water and wastewater systems) application for the acquisition of the Brentwood Borough wastewater system assets.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 16, 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](http://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](http://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—Wastewater Division, 852 Wesley Drive, Mechanicsburg, PA 17055

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#### Telephonic Prehearing Conference

A telephonic prehearing conference on the previously captioned case will be held as follows:

<i>Date:</i>	Tuesday, October 17, 2023
<i>Time:</i>	9 a.m.
<i>Presiding:</i>	Administrative Law Judge Katrina L. Dunderdale (412) 565-3550 Fax (717) 231-4765

To participate in the telephonic prehearing conference, individuals must:

- Dial the toll-free conference number.
- Enter the PIN number when instructed, listed as follows.
- Speak the individual's name when prompted and press #.

The telephone system will connect individuals to the telephonic prehearing conference.

Toll-free Conference Number: (866) 675-4411  
PIN number: 23464163

Individuals representing themselves are not required to be represented by an attorney. Others, including corporation, partnership, association, trust or governmental agency or subdivision, must be represented by an attorney. An attorney representing you should file a notice of appearance before the scheduled hearing date.

Individuals who require an interpreter to participate in the telephonic prehearing conference, the Commission will make every reasonable effort to have an interpreter present. Call the Scheduling Office at the Commission at least 10 business days prior to the prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399

- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

The Commission offers a free eFiling subscription service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission's web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at [https://www.puc.pa.gov/Documentation/EFiling\\_Guide.pdf](https://www.puc.pa.gov/Documentation/EFiling_Guide.pdf).

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ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 23-1354. Filed for public inspection September 29, 2023, 9:00 a.m.]

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17. Publication of Statement of Ownership: If the publication is a general publication, publication of this statement is required. Will be printed September 30, 2023 issue of this publication.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner: Mike Pavlick, Assistant Director, Date: 9/27/23

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

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