

# PENNSYLVANIA BULLETIN

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for the Governor's Office  
Regulatory Agenda

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**No. 592, March 2024**

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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.

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### **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**.

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

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

### Fiscal Notes

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

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2024.

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# THE COURTS

## Title 207—JUDICIAL CONDUCT

### PART V. JUDICIAL ETHICS ADVISORY BOARD

[ 207 PA. CODE CH. 1 ]

#### Order Amending Rules 104, 202 and 206 of the Pennsylvania Rules of the Judicial Ethics Advisory Board; No. 613 Judicial Administration Docket

##### Order

*Per Curiam*

And Now, this 28th day of February, 2024, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, *It Is Ordered* that:

Rules 104, 202 and 206 of the Pennsylvania Rules of the Judicial Ethics Advisory Board are amended in the attached form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

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

Deletions from the rules are shown in bold and in brackets.

##### Annex A

### TITLE 207. JUDICIAL CONDUCT

#### PART V. JUDICIAL ETHICS ADVISORY BOARD

#### CHAPTER 1. RULES OF THE JUDICIAL ETHICS ADVISORY BOARD

##### Subchapter A. PRELIMINARY PROVISIONS

#### Rule 104. Pennsylvania Judicial Ethics Advisory Board.

(a) *General Rule.* The Supreme Court shall appoint a board to be known as the “Pennsylvania Judicial Ethics Advisory Board” (the Board), which shall consist of thirteen members: one judge of the Superior Court; one judge of the Commonwealth Court; four judges of the courts of common pleas; one judge of the Philadelphia Municipal Court; four magisterial district judges who must be members of the Pennsylvania bar; one member of the Pennsylvania bar who is not a judicial officer; and one retired judge from any level of the judiciary. A majority of the Board shall constitute a quorum; action of the Board shall be by majority vote of members attending. No member of the Board may be a member of the Judicial Conduct Board or the Court of Judicial Discipline. The Supreme Court shall designate one member to serve as Chair and another to serve as Vice-Chair. **Chair and Vice-Chair appointments shall be for two-year periods unless otherwise stated; eligible appointees for Chair and Vice-Chair positions shall have served as Board members for at least one year.**

(b) *Submissions from Representative Courts and Judicial Organizations.* The President Judges of the Superior and Commonwealth Courts shall submit to the Chief Justice the names of three candidates for each Board position to be filled by a judge of their respective courts. The PCSTJ shall submit to the Chief Justice the names of three candidates for each Board position to be filled by a judge of a common pleas court or a judge of the Philadel-

phia Municipal Court. The SCJAP shall submit to the Chief Justice the names of three candidates for each Board position to be filled by a magisterial district judge. The Supreme Court shall select appointees for those positions from the names submitted. In the absence of submissions, the Supreme Court shall proceed to fill the Board positions.

(c) *Terms and Vacancies.* The first nine appointments to the Board shall be for staggered terms as follows: three members appointed for six years, three members for four years, and three members for two years. The four members appointed to expand the Board to thirteen members will be appointed to staggered terms as follows: one member for six years, two members for four years, and one member for two years. Thereafter, a new appointment to the Board shall be for a single six-year term. A vacancy shall be filled from the same membership category using the same process from which the vacating member was appointed. Appointments to fill a vacancy shall be for the balance of the term vacated.

**Members who were appointed for an initial term of less than six years, or who were appointed to fill a vacancy, shall be eligible for reappointment. However, no member shall be reappointed more than once or serve as a member for more than 10 years.**

(d) *Powers and Duties.* The Board shall have the authority to:

(1) Render advisory opinions regarding proper judicial conduct under the Codes. The Board may not issue an advisory opinion interpreting a judicial officer’s obligations under any provision of law that does not relate to judicial ethics.

(2) Appoint an Executive Director and such other staff and experts as may from time to time be required to perform properly the functions prescribed by orders of the Supreme Court and these rules.

(3) Adopt regulations pertaining to its processes, which regulations shall not be inconsistent with these rules and shall be subject to approval by the Supreme Court.

(4) Develop a course of training in judicial ethics, which course shall be subject to approval by the Judicial Education Board, and which must be completed by every Board member prior to beginning service on the Board.

(5) Make recommendations to the Supreme Court regarding amendments to the Codes and these rules.

(6) Make recommendations to the Continuing Judicial Education Board and the Minor Judiciary Education Board regarding topics for judicial education.

(7) Undertake such other related duties as may be requested of the Board by the Supreme Court.

(e) *Duty to Report.* The Board will provide a summary of its activities to the Supreme Court on an annual basis.

##### Subchapter B. REQUESTS FOR JUDICIAL ADVISORIES; ACTIONS BY THE BOARD; RULES OF RELIANCE

#### Rule 202. Assignment to Panel; Composition of Panel.

Every Request shall be assigned an identifying number. The Chair or the Chair’s designee will assign the Request to a three-member panel of the Board (“Panel”). At least one member of the Panel shall be a judicial officer from



the same level of the judicial system as the inquiring judicial officer. **If the inquiring judicial officer is from the Philadelphia Municipal Court, at least one member of the Panel shall be either a judge of the Municipal Court or a judge of any court of common pleas.** If the inquiring judicial officer is a Justice of the Supreme Court, at least one member of the Panel shall be a judge of the Superior Court or Commonwealth Court.

#### Rule 206. Rules of Reliance.

(a) Where a judicial officer complies with Advice that is subsequently adopted as a Board Opinion, such compliance shall be entitled to substantial weight in determining whether discipline should be recommended or imposed.

(b) Where a judicial officer complies with Advice that is subsequently reversed or modified by the Board, compliance prior to the time the judicial officer is notified of the Board's action shall be **[ taken into account in determining whether discipline should be recommended or imposed ] entitled to substantial weight in determining whether discipline should be recommended or imposed.**

(c) Where a judicial officer complies with General Guidance, such compliance may be taken into account in determining whether discipline should be recommended or imposed.

(d) Informal or informational discussions with Board members or Board staff shall not be afforded consideration in determining whether discipline should be recommended or imposed.

[Pa.B. Doc. No. 24-327. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 207—JUDICIAL CONDUCT

### PART V. JUDICIAL ETHICS ADVISORY BOARD

#### [ 207 PA. CODE CH. 3 ]

#### Omnibus Amendments to the Regulations of the Pennsylvania Judicial Ethics Advisory Board; No. 614 Judicial Administration Docket

#### Order

*Per Curiam*

*And Now*, this 28th day of February, 2024, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, *It Is Ordered* that:

The Regulations of the Pennsylvania Judicial Ethics Advisory Board are amended in the attached form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

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

Deletions from the rules are shown in bold and in brackets.

#### Annex A

### TITLE 207. JUDICIAL CONDUCT

#### PART V. JUDICIAL ETHICS ADVISORY BOARD CHAPTER 3. REGULATIONS OF THE JUDICIAL ETHICS ADVISORY BOARD

#### Rule 1.0. Preamble.

##### 1.1. Purpose.

**[ As a unified body, independent from the judicial conduct structures of the Judicial Conduct Board and Court of Judicial Discipline, t ]**The Judicial Ethics Advisory Board **[ (JEAB) ]** is the designated and approved body to render advice, **[ and ]** opinions, **and guidance** regarding appropriate ethical conduct involving all judicial officers and candidates for all judicial offices who are subject to the Code of Judicial Conduct and/or the Rules Governing Standards of Conduct of Magisterial District Judges (collectively, the “Codes”).<sup>1</sup>

##### 1.2. Mission Statement.

To ensure the continued integrity and public trust of Pennsylvania's judiciary, the Judicial Ethics Advisory Board shall, upon request, provide Advice and/or Opinions to any Judicial Officer or judicial candidate based on the Codes. **[ The Advice and Opinions shall strive, where appropriate, to distinguish between mandatory and aspirational provisions of the Codes so as to guide the conduct of Judicial Officers as required under the Codes. ]**

#### Rule 2.0. Definitions.

All terms used in these Regulations shall have their ordinary meanings unless noted otherwise or as defined by the Pennsylvania Rules of the Judicial Ethics Advisory Board **[ (Pa.R.J.E.A.B.) ]** or these Regulations.

“*Advice/Panel Advice*” or “*Advisory Opinion*”—A Panel's written advisory opinion issued in response to a written Request received from a Judicial Officer.

“*Attendance*” or “*Attending*”—Board Members present at a Board meeting either in person or by electronic or other means permitting interaction between the Members.

“*Board*”—The Judicial Ethics Advisory Board.

“*Codes*”—Collectively, the Code of Judicial Conduct and the Rules Governing Standards of Conduct of Magisterial District Judges.

“*Essential Member*”—The Member of a Panel who is of the same judicial level as the inquiring Judicial Officer.

“*General Ethics Guidance*”—A written opinion by the Board that the Board may, in its discretion, issue to address general ethics advisory guidance on any relevant topic under the Codes. General Ethics Guidance is not in response to a specific written request from a Judicial Officer.

“*Issuance*” or “*Issued*”—The act of communicating the written decision of a Panel or the Board to a Judicial Officer as provided for under these Regulations.

“*Judicial Officer*”—Any individual within the Application of the Codes, including judicial candidates.

<sup>1</sup> The **[ JEAB ]** **Judicial Ethics Advisory Board** supersedes the prior designations of committees of the Pennsylvania Conference of State Trial Judges and the Special Court Judges Association of Pennsylvania to render such advice or opinions.

“*Member*”—An individual appointed to the [ **Judicial Ethics Advisory** ] Board.

“*Opinion*”—A decision by the Board, as provided for under these Regulations, to either adopt, modify, or overrule the Advice of a Panel interpreting an inquiring Judicial Officer’s duties and obligations under the Codes, in response to a specific, factual scenario submitted for that purpose.

“*Panel*”—Three [ **(3)** ] Members of the Board whom staff appoints to render Advice in response to a Request from a Judicial Officer.

“*Request*”—A written submission by a Judicial Officer to the Board seeking an Advisory Opinion under Section 8.0 of these Regulations.

“*Regulations*”—These Judicial Ethics Advisory Board Regulations as adopted by the Board and [ **as amended** ] **approved** by the [ **Board from time to time** ] **Supreme Court**.

“**Rule**” or “**Rules**”—**Unless otherwise indicated, rule citations herein refer to [ T ]**the Pennsylvania Rules of the Judicial Ethics Advisory Board (Pa.R.J.E.A.B.).

“*Served or Service*”—The transmission of an Advice or Opinion of the Board whether by mail, email, fax, or some other authorized manner of secure delivery as provided for under these Regulations.

“*Staff*”—**The Executive Director of the Board [ Employees of the JEAB, including ] and any other full-time [ , ] and part-time personnel appointed by the Board under Rule 104(d)(2) [ contract and/or designated agents of the JEAB, either current or future ]**.

### **Rule 3.0. Board Membership.**

#### 3.1. *Officers.*

In accordance with [ **Pa.R.J.E.A.B.** ] Rule 104(a), the Supreme Court shall designate one Member to serve as Chair and another to serve as Vice-Chair.

#### 3.2. The Chair shall:

3.2.1. [ **Preside over the Board at all Board meetings.**

3.2.2. **Decide all points of order, subject to appeal by no less than 2/3 of those Members present. ] With the assistance of the Executive Director, set the meeting agenda and determine the order in which Board business is addressed.**

**3.2.2. Preside over the Board at all Board meetings.**

3.2.3. [ **The duties and powers of the Chair shall not be limited to those expressed herein but shall be subject to any law or rule otherwise duly promulgated and enacted ] Exercise any other prerogatives or duties specifically delegated by the Board or referenced in these Regulations.**

#### 3.3. The Vice-Chair shall [ :

3.3.1. **Assist the Chair as requested or required.**

3.3.2. **Serve in place of the Chair if the Chair is unable to execute the duties and responsibilities of the position. ] assume the prerogatives and duties**

**of the Chair if the Chair position is vacant or the Chair is absent or unable to act.**

#### 3.4. *Standards of Member Conduct.*

3.4.1. Appellate and Trial Court Judge Members shall be bound by the Code of Judicial Conduct.

3.4.2. Magisterial District Judge Members shall be bound by the Rules Governing Standards of Conduct of Magisterial District Judges.

3.4.3. Attorney Members of the Board shall be bound by the Rules of Professional Conduct.

3.4.4. [ **Pa.R.J.E.A.B.** ] **Rule 105 (Confidentiality)** and Section 5.0 hereof[ , ] evidence a strong commitment to encourage Judicial Officers to seek ethics advisory opinions and that all such communications to and from the Board are to be confidential. In light of these objectives, Members are relieved of any obligation under the Codes to report to an appropriate authority conduct of a Judicial Officer that is the subject of a Request permitted under these Regulations.

#### 3.5. *Conflicts.*

Members shall refrain from participating in the work of either a Panel or Board that pertains to their own Request or in any other matter where a Member’s impartiality might reasonably be questioned.

3.6. [ **While acting in their official capacity, Judge Members shall be deemed to be performing a judicial function. ] *Board Member Training.***

**3.6.1. The Board shall develop a course of training on judicial ethics, as regulated by the Codes, which course of training will be subject to approval by the Continuing Judicial Education Board.**

**3.6.2. Every Board member shall complete the approved training prior to engaging in service on the Board.**

**3.6.3. A member may complete the required training either by attending in-person training or via a pre-recorded training program.**

### **Rule 4.0. Board Meetings.**

#### 4.1. *Board Calendar.*

For reporting purposes, the Board shall operate on a [ **fiscal** ] **calendar** year beginning [ **July** ] **January** 1st and ending [ **June 30th** ] **December 31st**.

#### 4.2. *Meeting Dates.*

The Board shall meet at least quarterly. At or prior to the last meeting of the Board for the [ **fiscal** ] **calendar** year, the [ **Board** ] **Chair** shall establish fixed meeting dates for the next Board Calendar. The Board may convene meetings at such other times as the Chair or a majority of the Members determine. Staff shall provide all Members due and timely notice of all Board meetings.

#### 4.3. *Member Participation.*

Board Decisions are enhanced by the participation of all Members; therefore, Members are encouraged to attend each meeting in person and to participate in all Board discussions and decisions.

#### 4.4. *Quorum.*

4.4.1. A majority of the Members of the Board shall constitute a quorum.

4.4.2. When less than a quorum of Members is in Attendance, it shall be the duty of the Chair or Vice-Chair to adjourn the meeting.

4.4.3. In the absence of the Chair and Vice-Chair, it shall be the duty of the [ **most senior Member** ] **Executive Director** to adjourn the meeting when less than a quorum is in Attendance. [ **Seniority shall be established by date of admission to the Pennsylvania Bar.** ]

#### 4.5. *Voting and Decisions.*

**Members must be in Attendance to vote. Proxy votes are not permitted. Votes or opinions expressed prior to discussion at a meeting of the Board shall not be considered for purposes of determining Board action.**

4.5.1. Board Decisions shall be determined as follows:

a. A majority vote by the Members Attending a duly called Meeting of the Board shall be required to adopt, modify or reverse any Advice.

b. A majority vote of all Members shall be required to modify or reverse a previously issued Opinion of the Board.

c. A majority vote of all Members shall be required to modify, reverse, or adopt the issuance of a General Guidance.

#### **Rule 5.0. Confidentiality.**

Communications to and from the Board are confidential except as described here. Establishing the confidentiality of Board proceedings and communications to and from the Board is critical to encourage Judicial Officers [ **and candidates for judicial office** ] to seek ethics opinions and advice from the Board. Encouraging Judicial Officers [ **and candidates for judicial office** ] to seek ethics opinions and advice from the Board will promote ethical conduct and the fair administration of justice. The need for preserving confidentiality outweighs the need for disclosure in the interest of justice. Therefore, to implement [ **Pa.R.J.E.A.B. No. ] Rule 105 (Confidentiality)**, and to promote ethical conduct by Judicial Officers [ **and candidates for judicial office** ] and to encourage them to seek ethics opinions and advice from the Board, the following confidentiality requirements and exceptions apply to Requests and other matters before the Board:

##### 5.1. *Confidentiality.*

With the exception of Opinions and General Ethics Guidance published by the Board under [ **Pa.R.J.E.A.B. No. ] Rules 204(b) (Publication of Board Opinions)** and (c) **(General Ethics Guidance)**, all Opinions, inquiries, replies, circulated drafts, records, documents, writings, files, communications with Staff, work product of the Board or Staff, and deliberations and proceedings of the Board are confidential.

##### 5.2. *Members and Staff.*

Members of the Board and Staff may not disclose (outside the Board or Staff) any confidential information, including identifying information, obtained by the Board or Staff.

##### 5.3. *Waiver of Confidentiality by Judicial Officer.*

A Judicial Officer [ **or candidate for judicial office** ] may waive confidentiality, and such a waiver must be in

writing. If a Judicial Officer [ **or candidate** ] making a request for an Opinion or Advice waives confidentiality or asserts reliance on an Opinion or Advice in judicial or attorney discipline proceedings, such Opinion or Advice no longer is confidential under these Rule. Notwithstanding any such waiver, Board deliberations and all other records concerning the Request shall remain confidential.

##### 5.4. *Conclusion of Service by Members of the Board.*

Board Members shall return to Staff or destroy any records in their possession at the end of their terms of service.

#### Rule 6.0. [ **JEAB** ] **Board** Contact Information.

Any Judicial Officer may request an Advisory Opinion by submitting a Request to the Board in writing. Requests may be submitted via United States Mail, special courier, fax, or email.

##### 6.1. *Mailing Address.*

The designated mailing address for any communications addressed to the [ **JEAB** ] **Board**, including Requests for Advisory Opinions, shall be:

Judicial Ethics Advisory Board  
 Pennsylvania Judicial Center  
 601 Commonwealth Avenue, Suite 6100  
 PO Box 62333  
 Harrisburg, PA 17106-2333

##### 6.2. *Email Address.*

The designated email address for any communications sent to the [ **JEAB** ] **Board**, including Requests for Advisory Opinions, shall be:

JEAB@pacourts.us

##### 6.3. *Fax Number.*

The designated fax number for any communications sent to the [ **JEAB** ] **Board**, including Requests for Advisory Opinions, shall be:

717-231-9594

##### 6.4. *Electronic Mail.*

Any Board action required to be communicated in writing may be sent by electronic mail, provided such electronic mail includes the following language:

Confidentiality Statement: This electronic mail transmission (including attachments) is covered by the Electronics Communications Privacy Act, 18 U.S.C. §§ 2510—2521, is confidential, and/or may be legally privileged. The information is intended only for the use of the individual or entity named in this transmission. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying, or the taking of any action in reliance on the contents of this transmission, is strictly prohibited. Please reply to the sender that you have received the message in error, and then delete it.

##### 6.5. *Public Media.*

All requests for commentary or interview by the news media regarding the Board or Board business should be referred to either the [ **Chair** ] **Executive Director** or to the Supreme Court's Press and Communications Office at 717-231-3324.

#### **Rule 7.0. Records and Files.**

##### 7.1. *Security.*

All records, papers, files, *etc.* of the JEAB shall be confidential and shall remain confidential. Staff shall

adequately secure all files and records of the Board, regardless of format (*i.e.*, paper and/or electronic), to ensure confidentiality.

7.2. *Storage Format.*

Paper documents shall be converted to an electronic format.

7.3. *Paper File Retention Schedule.*

All paper documents shall be maintained for one calendar year after conversion to an electronic format. Upon expiration of one year, paper records may be destroyed in a secure manner.

7.4. *Electronic File Retention Schedule.*

Electronic files shall be maintained according to the following schedule, or as otherwise required by law:

<i>Category</i>	<i>Time Measured From:</i>	<i>Mandatory Retention Period</i>
Requests for Advisory Opinion—No Jurisdiction	Date of receipt	Retain 2 years
Requests for Advisory Opinion—OPENED	Date of receipt	Permanent Record—Retain indefinitely
Advice	Date of Issuance	Permanent Record—Retain indefinitely
Opinion	Date of Issuance	Permanent Record—Retain indefinitely
General Guidance	Date of Adoption	Permanent Record—Retain indefinitely (in the event of a retirement or overruling of the General Guidance, the original shall nonetheless be maintained, although no longer published)
Miscellaneous Matters Where Official Action Taken	Date of receipt or creation of item	Retain 3 years
General Correspondence Records Not Relating to Official Action Taken	Date of receipt or creation of item	Retain 1 year
Financial Records: Journals, Invoices, Bills, Expense Reports, BEV, Receipts, etc.	Close of the year for which the records apply	Retain 7 years

<i>Category</i>	<i>Time Measured From:</i>	<i>Mandatory Retention Period</i>
Budget Preparation Files	Date of receipt or creation of item	Retain fiscal year plus 5 years or as otherwise provided by funding source
Minutes of Board Meetings	Date of Adoption by the Board	Permanent Record—Retain indefinitely
Training (Not Individual)	Date of event or completion	Retain 5 years after presentation is completed
Purchase Order Files	Date of receipt or creation of item	Retain 7 years

7.5. *Conflict with Other Retention Schedules.*

These schedules are intended to be consistent with those set forth in the Supreme Court of Pennsylvania Administrative Office of Pennsylvania Courts (AOPC) Record Retention & Disposition Schedule. Unless otherwise required by law, AOPC schedules shall govern.

7.6. *Mandatory Minimum Retention Periods.*

The record retention periods set forth herein are minimum retention terms, after which the files may be destroyed. The files may also be retained for longer than the established retention periods.

7.7. *Methods of Record Destruction.*

7.7.1. *Confidential Records.*

When confidential information may be contained in the records, shredding is the preferred method of destruction. Regardless of manner, destruction of records shall be by such a means as to permanently prevent the disclosure of the contents thereof.

7.7.2. *Non-Confidential Records.*

Records that do not contain confidential information may be shredded, incinerated, or otherwise destroyed according to general practice.

**Rule 8.0. Panel Advice and Board Review.**

Judicial Officers must submit Requests to the Board in writing under Section 6.0. A Request must contain a statement of the facts regarding the intended conduct and a concise question of judicial ethics, with references to the relevant section(s) of the Codes, case law, and other authority the inquiring Judicial Officer already has consulted. A Request must relate to the inquiring Judicial Officer’s own prospective conduct or conduct of the inquiring Judicial Officer that has occurred in the past and is ongoing. **The Board will not consider a Request by the inquiring Judicial Officer relating to the conduct or prospective conduct of another Judicial Officer except as necessary to address a Judicial Officer’s obligations pursuant to Rule 2.12 (Supervisory Duties) of the applicable Code.** A Request may not relate to hypothetical situations or to facts that are the subject of past or pending litigation, disciplinary investigation, or disciplinary proceedings. Judicial Officers must submit Requests at least 14 days prior to the event or action giving rise to the question. The Board Chair or the Chair’s designee may, in his or her discretion, waive this 14-day requirement for good cause and if the inquiry can be addressed in the time available.

### 8.1. Request Intake.

The Executive Director is designated and authorized to receive any and all Requests seeking an Advisory Opinion.

### 8.2. Jurisdictional Closure.

Any request for an Advisory Opinion from someone other than a Judicial Officer may be closed by the Executive Director for lack of jurisdiction without Board approval.

### 8.3. Insufficient Request.

If the [ **JEAB** ] **Board** receives a jurisdictionally appropriate Request but lacks sufficient information to render Advice, Staff will obtain additional facts from the **inquiring** Judicial Officer. Staff may close the Request **without Board approval** if the **inquiring** Judicial Officer fails or refuses to provide the requested information within [ **fourteen ( 14 )** ] days.

### 8.4. Panel Determination and Assignment.

Following receipt of a Request, the Executive Director shall identify the level of the judicial system of the inquiring Judicial Officer. The Executive Director shall assign the Request to a [ **pre-determined** ] Panel [ **approved by the Board** ].

### 8.5. Panel Member Assignment.

[ **In an effort to foster diversity and workload equality, e** ] Each Member will rotate Panel assignments. [ **Upon completion of a two (2) year cycle, each Member will have served with every other Member of the Board to the extent practical.** ] Each Panel shall contain at least one Member of the same judicial level as the inquiring Judicial Officer. Panel makeup shall be confidential and shall not be disclosed except to **Board** Members and Staff [ **of the JEAB** ]. [ **Individual Panel assignments shall rotate on a quarterly basis.** ]

#### 8.5.1. Philadelphia Municipal Court Essential Member.

**For Requests originating from Judicial Officers of the Philadelphia Municipal Court, a Board member from the Municipal Court or any common pleas court shall be qualified to serve as an Essential Member of the Panel.**

### 8.6. Identity Redaction.

The Judicial Officer's Request shall be redacted by Staff so the identity of the Judicial Officer shall not be known to the Panel or Board. Only Staff will have access to the identity of the inquiring Judicial Officer. The identity of an inquiring Judicial Officer may be disclosed to the Chair when, in the Chair's opinion, there is a clear and convincing need to know. At no time shall the Chair or [ **s** ] Staff intentionally disclose the identity of the inquiring Judicial Officer absent an explicit and express waiver by the inquiring Judicial Officer in writing, or the Chair believes disclosure is necessary for a clear and convincing reason.

### [ 8.7. Panel Action.

The Essential Member of a Panel shall act as director of the Panel.

### 8.7.1. Communication.

**Communication among the Panel, and between the Panel and Staff, shall be through or as authorized by the Essential Member. ]**

#### 8.[ **8** ]7. Advice.

A Panel determination shall be deemed achieved upon a two-thirds [ **(2/3)** ] or greater consensus of the Panel. Once a [ **consensus** ] **determination** is reached, the determination of the Panel shall constitute the Advice, and Staff shall communicate the Advice to the inquiring Judicial Officer in writing.

#### **8.7.1. All members of the Panel must respond before a Panel determination is reached.**

**8.7.2.** The Panel membership shall remain confidential to the Requesting Judicial Officer.

#### 8.[ **9** ]8. Reconsideration of Advice.

After a Panel issues an Advice following a Request by a Judicial Officer, the Judicial Officer [ **shall have the ability to** ] **may** seek reconsideration of the Panel Advice.

##### 8.8.1. Timing.

A request for reconsideration of Panel Advice must be in writing and must be received by Staff within [ **fourteen (14)** ] **five** days of Service of the Panel Advice.

#### 8.[ **10** ]9. Board Review.

After issuing Advice to the inquiring Judicial Officer, Staff shall circulate the Advice to the Board for review. Members shall respond in writing within twenty days of circulation by [ **addressing** ] **sending** any agreement, disagreement, or comment to Staff, and **by** sending a copy [ **thereof** ] **of any substantive comment or disagreement** to each Member of the Board. A Member who does not respond within the stated timeframe shall be presumed to agree with the Advice rendered. If there is no disagreement with the Advice, the Advice shall be deemed the Board Opinion, so long as no request for reconsideration is pending. A deemed Opinion shall be ratified by vote of the Board at the next meeting.

If a majority of the Board ([ **five** ] **seven** or more Members) register disagreement with an Advice, Staff shall notify the inquiring Judicial Officer promptly, and the matter shall be timely scheduled for Board resolution. The Board shall reach a Board Decision as to the Advice as soon as possible.

#### 8.1[ **1** ]0. Opinion Publication.

The Board may adopt, modify, or reverse any Advice. Once a Board Decision has been reached under Regulation 4.5.1, the Board Decision shall constitute the Opinion of the Board. Staff shall promptly serve the Opinion of the Board upon the inquiring Judicial Officer. Publication by the Board of any Opinion shall occur only after the period for Board Reconsideration has expired.

#### 8.1[ **2** ]1. Dissenting Members.

Any Member of the Panel or Board shall retain the right to dissent from the majority decision of either a Panel or the Board. [ **A Member may, but is not required to, express an opposing view in writing. Any written dissent** ] **Dissenting votes may be recorded and retained internally for future reference by the Board, but shall not be** [ **part of** ] **reflected on**

the issued Advice or Opinion. [ **A dissent shall not identify the Member-author by name.** ]

### **8.12. Reasoned Advice/Opinion.**

**8.12.1. The Panel Advice and Board Opinion shall be reasoned, in that they shall reference the relevant section(s) of the Codes, case law, and other authority consulted in reaching the conclusions contained therein and apply the same to the facts as set forth in the Request. The Board may also consider for their persuasive value publicly available advice or opinions from other state judicial ethics advisory bodies or courts on the subject of the Request.**

**8.12.2. Nothing in the Rules or these Regulations shall prohibit either the Board, a Panel, an individual Member, or Staff from citing, referencing, or considering any previously issued opinion or findings of the Ethics Committees of the Pennsylvania Conference of State Trial Judges and/or the Special Court Judges Association of Pennsylvania as persuasive authority in reaching a decision on a Request or in offering General Guidance.**

**8.12.3. The Panel Advice and/or Board Opinion shall set forth a conclusion as to whether facts regarding the intended conduct set forth in the Request give rise to a violation of any section(s) of the Code(s). Where possible and appropriate, the Panel Advice and/or the Board Opinion may provide a qualified response with accompanying advice on how the Judicial Officer may engage in the proposed conduct without violating the Code(s).**

### **8.13. Reconsideration.**

8.13.1. Under [ **Pa.R.J.E.A.B.** ] Rule 207 (**Reconsideration**), an inquiring Judicial Officer may submit a written request for reconsideration within twenty days of the Board's Opinion adopting, modifying, or reversing an Advice. The inquiring Judicial Officer shall present a detailed explanation setting forth the reason(s) why the Board should reconsider the Opinion.

8.13.2. If the Board declines to issue an Opinion, the inquiring Judicial Officer may seek reconsideration of the inaction within 20 days of Service of notice of the Board's inaction.

8.13.3. A Request for reconsideration must be in writing and must be received by Staff before 5:00 p.m. (EST) on the twentieth day following Service of an Opinion or Notice of Inaction. The [ **twenty** ] **20**-day period shall be calculated from the date of Service upon the inquiring Judicial Officer and shall be so computed as to exclude the first and include the last day of such period. Whenever the last day of any such period shall fall on Saturday or Sunday, or on any day made a legal holiday by the laws of the Commonwealth or of the United States, such day shall be omitted from the computation.

8.13.4. A request for reconsideration filed with the Board will delay the publication of an Opinion but will not affect the Rule of Reliance unless the Board grants reconsideration.

8.13.5. If the Board grants reconsideration, the Board may take one or more of the following actions:

- (a) Adopt the Advice as originally issued.
- (b) Modify the issued Opinion.

(c) Withdraw the Opinion and take no further action; or

(d) Other action as the Board deems appropriate.

### **Rule 9.0. Service of Decisions.**

When an inquiring Judicial Officer authorizes Service of Decisions through electronic means, Service shall be through email address confirmed by the inquiring Judicial Officer. Any electronic service of a decision through email shall be by pdf attachment [ **accessible only through a password** ].

If the inquiring Judicial Officer does not authorize electronic service, Service of Decisions shall be by First Class Mail. Service occurs upon deposit of the item with the U.S. Mail (First Class) [ ; or the date of acceptance by the Judicial Officer or an authorized agent (Certified Mail, Return Receipt Requested); or the date of transmission if issued by email or fax ].

Staff shall serve an Opinion that reverses or modifies an Advice by Certified Mail, Return Receipt requested, in addition to any electronic Service.

### **Rule 10.0. Docketing/Numbering.**

#### *10.1. Request Number.*

Regardless of format (paper correspondence, email, fax, etc.), [ **the JEAB** ] **Staff** will assign every written Request a sequential Request Number as required by [ **Pa.R.J.E.A.B** ] **Rule 202 (Assignment to Panel; Composition of Panel)**. The Request Number will be formatted as the letter "R" [Request] followed by a sequential number and the two-digit calendar year (RX-YY).

#### *10.2. Advice Number.*

Once Staff determines that a Request will be assigned to a Panel, Staff will assign the file an Advice Number. The Advice Number will be formatted as the last two digits of the calendar year followed by a sequential number beginning with 101 (YY-1xx).

#### *10.3. Opinion Number.*

Staff shall assign every Opinion of the Board [ **with** ] an Opinion Number. The Opinion Number will be formatted as a sequential number followed by JEAB and the four-digit calendar year (x-JEAB-YYYY).

### **Rule 11.0. General Ethics Guidance.**

The Board, at its discretion, may issue general ethics advisory guidance (General Guidance) on topics of interest and concern to persons subject to the Codes. A subsequent Opinion of the Board regarding the same subject matter of General Guidance shall be deemed to supersede the prior General Guidance.

### **Rule 12.0. Exigent Circumstances.**

Under [ **Pa.R.J.E.A.B.** ] **Rule 201 (Standards and Timing for Requests)**, a Judicial Officer may submit a Request to the Board in writing at least 14 days prior to the event or action giving rise to the question. The Chairperson may waive this requirement for good cause shown if exigent circumstances exist and a Panel can responsibly and meaningfully address the Request in the time available. In those instances, the following procedures shall apply:

#### *12.1. Exigent Intake.*

An inquiring Judicial Officer may initiate a Request by contacting Staff by telephone at 717-705-1785, by email to

JEAB@pacourts.us, or by the most expedient means available to the Judicial Officer. The Request should include all information required under these Regulations. If the Judicial Officer relays the information [ **verbally** ] **orally**, the Judicial Officer shall immediately commit the Request to writing directed to Staff. The inquiring Judicial Officer's failure to reduce the Request to writing shall preclude the [ **JEAB** ] **Board** from issuing an Advice.

#### 12.2. *Exigent Panel Assignment.*

Upon receiving an exigent Request, Staff shall docket the Request, assign the Request a number as provided for under Section 10.0 of these Regulations, and forward the Request to a Panel for an Advisory Opinion.

#### 12.3. *Exigent Advice.*

Unless the Panel declines to issue an Advisory Opinion because it cannot responsibly and meaningfully provide an Advice (which decision shall be immediately communicated to the Judicial Officer), the Panel shall expeditiously proceed to render an Advice that shall be communicated by Staff to the Judicial Officer. Where the Panel Advice is initially communicated [ **verbally** ] **orally**, the Panel shall promptly commit the Advice to writing, and Staff shall promptly Serve the written Advice on the Judicial Officer.

#### 12.4. *Exigent Board Consideration.*

Once the Panel issues a written Advice, the Board shall then consider the Advice as provided for under Sections 8.10 through 8.13 of these Regulations.

#### Rule 13.0. [ **Citation to Authority.**

**Nothing in either the Rules or these Regulations shall prohibit either the Board, a Panel, an individual Member, or Staff from citing, referencing, or considering any previously issued opinion or findings of the Ethics Committees of the Pennsylvania Conference of State Trial Judges ("PCSTJ") and/or the Special Court Judges Association of Pennsylvania ("SCJAP") as persuasive authority in reaching a Board Decision as to an Advice, Opinion, or General Guidance.**

#### Rule 14.0. ] Waiver.

The Chair may, in its discretion, waive any administrative provision of these Regulations when, in the Chair's judgment, the proper interests of the Board and/or the interests of an inquiring Judicial Officer require such action by the Chair. Waiver of any confidentiality provision pertaining to a Judicial Officer shall not be allowed unless agreed to by the Judicial Officer.

#### Rule 1[ **5** ]4.0. Amendments.

These Regulations may be amended by a majority of the Board after giving at least [ **thirty** ( ]30[ ) ] days advance written notice of proposed changes to each Member.

#### 1[ **5** ]4.1. *Court Approval.*

Under [ **Pa.R.J.E.A.B.** ] Rule 104(d)(3), Regulations are subject to approval by the Supreme Court. Any amendment shall take effect immediately upon approval by the Supreme Court or as otherwise ordered by the Supreme Court.

#### 1[ **5** ]4.2. *Pending Amendments.*

Until the Court approves a proposed amendment, the Regulations as last adopted and approved shall remain in effect.

[Pa.B. Doc. No. 24-328. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CENTRE COUNTY

#### Local Rules 5102 and 5103 Custody of Exhibits in Court Proceedings; No. MD-332-2024; 2024-CM-0010

#### Order

*And Now* this 1st day of March 2024, it is hereby *Ordered* that, effective April 1, 2024, a Centre County Local Rule is hereby established to implement Local Rule 5102-5103 regarding the Custody of Exhibits in Court Proceedings.

Pursuant to Pennsylvania Rules of Judicial Administration 103(d) and after review and subsequent approval from the Supreme Court Rules Committee,

The Centre County District Court Administrator is *Directed* as follows:

(1) File one (1) copy of the Administrative Order with the Administrative Office of Pennsylvania Courts.

(2) File one (1) copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One (1) copy shall be sent to the Centre County Law Library and the editor of the *Centre County Legal Journal*.

(4) Publish a copy of the Administrative Order on the website of Centre County.

(5) Thereafter, compile the Administrative Order within the complete set of local rules no later than thirty (30) days following the publication in the *Pennsylvania Bulletin*.

It is further *Ordered* that a copy shall be kept continuously available for public inspection and copying in the Office of the Prothonotary of Centre County.

*BY THE COURT:*

JONATHAN D. GRINE,  
*President Judge*

#### Local Rule 5102-5103 Custody of Exhibits in Court Proceedings.

#### Rule 5102. Custody of Exhibits General Provisions.

A. The court reporter or court recorder shall be designated as the "Custodian," as defined by Pa.R.J.A. 5101(a)(2), for all documentary exhibits, photographs, and photographs of non-documentary exhibits admitted or rejected during a court proceeding.

(1) If only one custodian is involved with a proceeding, they shall file with the Centre County Prothonotary/Clerk of Courts office all admitted or rejected exhibits and an index of the exhibits within 5 business days of the conclusion of the proceeding.

(2) If multiple custodians are involved with a proceeding, the first custodian shall provide the subsequent

custodian (and so on, if more than two custodians) with the admitted or rejected exhibits and index of exhibits. The custodian at the conclusion of the proceeding shall file with the Centre County Prothonotary/Clerk of Courts office all admitted or rejected exhibits and an index of the exhibits within 5 business days of the conclusion of the proceeding.

**Rule 5103. Custody of Exhibits. Special Provisions.**

A. The proponent shall retain custody of admitted or rejected non-documentary exhibits (including, but not limited to weapons, cash, other items of value, drugs, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits at all times during and after a court proceeding.

(1) All non-documentary exhibits must be photographed by the proponent, converted to a letter sized document (8 1/2 × 11 inches), and appropriately marked and produced during the court proceeding for inclusion in the documentary record.

(2) Unless otherwise provided by the presiding judge, at the conclusion of the court proceeding, non-documentary evidence shall be returned to the proponent for safekeeping as required by any applicable retention schedule, statute, rule, regulation, or policy, or until further order of court.

(3) Unless otherwise ordered, the proponent or filing office shall maintain non-documentary exhibits for a minimum of following time periods:

a. *Non-criminal matters.* Retain exhibits until the later of the expiration of the appeal period or final disposition of the appeal if one is taken.

b. *Criminal matters.* Retain exhibits pursuant to the Supreme Court of Pennsylvania Administrative Office of Pennsylvania Courts Record Retention and Disposition Schedule with Guidelines.

(4) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record on a Universal Serial Bus (USB) flash drive or other court approved format. If one party has multiple digital exhibits, they may be submitted together on one USB flash drive or other court approved format.

(5) Any exhibit containing confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (“Policy”) shall include a Confidential Information Form or Confidential Document Form in compliance with the Policy.

[Pa.B. Doc. No. 24-329. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CHESTER COUNTY

#### Adoption of Local Rules of Judicial Administration; 2024-0047R-CM

#### Administrative Order No. 2-2024

And Now, this 1st day of March, 2024, the following Chester County Rules of Judicial Administration (“Rules”) are adopted in their entirety.

#### *Effective Date*

These Rules shall become effective thirty (30) days from the date of their publication in the *Pennsylvania Bulletin*.

#### *Procedural Compliance*

In conformity with Pa.R.J.A. 103(c)(5)(ii-iii) and (6), the Chester County Court Administrator shall do the following:

1) Distribute two (2) paper copies of the Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, along with a copy of the Rules in an agreed upon format which complies with the requirements of 1 Pa. Code § 13.11.

2) File one copy of the Rules with the Administrative Office of Pennsylvania Courts.

3) Publish a copy of the Rules on the Chester County website.

4) Incorporate the Rules in the complete set of the published Chester County Court Rules no later than thirty (30) days following publication in the *Pennsylvania Bulletin*.

#### *By the Court*

JOHN L. HALL,  
*President Judge*

### CUSTODY OF EXHIBITS IN COURT PROCEEDINGS

#### C.C.R.J.A. Rule 5101. Preliminary Provisions.

(A) *Definitions.* The definitions described in Pa.R.J.A. 5101, including “court proceeding,” “custodian,” “exhibit,” “proponent” and “records office” are all incorporated herein by reference.

(B) *Scope.* Nothing in these rules shall limit the authority of a common pleas judge to enter an order, upon motion or sua sponte, concerning the custody, retention, or disposition of exhibits in any given matter.

(C) *Citing of Chester County Rules of Judicial Administration.* These rules shall be known as the Chester County Rules of Judicial Administration, each of which shall be cited as “C.C.R.J.A. Rule \_\_\_\_\_.”

#### C.C.R.J.A. Rule 5102. Custody of Exhibits. General Provisions.

(A) *During Criminal and Juvenile Delinquency Court Proceedings.* During a criminal or juvenile delinquency court proceeding, as well as during all such court proceeding breaks and recesses:

(1) The Clerk of Courts<sup>1</sup> shall serve as the custodian of:

(a) all documentary exhibits, photographs, and photographs of non-documentary exhibits; and

(b) all exhibits subject to Pa.R.J.A. 5103(c)(3) (relating to non-documentary exhibits that are bulky, oversized, or physically impractical for a court staff—custodian to maintain) that the Clerk of Courts does not direct the proponent to maintain and secure.

(2) The Commonwealth shall serve as the Clerk of Courts’ custodian designee of: all weapons, cash, other items of value, drugs or other dangerous materials, electronic devices,<sup>2</sup> contraband, and hazardous materials including, without limitation, guns, knives, explosives, controlled substances, narcotics, intoxicants, currency, money, negotiable instruments, toxic materials, and

<sup>1</sup> The Clerk of Courts office described herein is the same office described in Pa.R.J.A. 5101(a) as “clerk of court” and 42 Pa.C.S. § 2754 as “clerk of the courts.”

<sup>2</sup> “Electronic Devices” are any devices that store electronic data, including cell phones, computers, watches, electronic tablets, and USB drives.



biohazardous materials. When the Commonwealth serves as the custodian of an exhibit pursuant to this paragraph, the appropriate law enforcement agency designated to take such custody shall secure and safely maintain it at all times.

(3) The proponent shall serve as the custodian of: all exhibits subject to Pa.R.J.A. 5103(c)(3) (relating to non-documentary exhibits that are bulky, oversized, or physically impractical for a court staff—custodian to maintain) that the Clerk of Courts directs the proponent to maintain and secure.

(B) *After Criminal and Juvenile Delinquency Court Proceedings.*

(1) *Custodians.* Immediately upon conclusion of a court proceeding:

(a) The Clerk of Courts and Commonwealth shall retain all exhibits of which it took custody during the court proceeding pursuant to paragraph (A)(1).

(b) The Clerk of Courts and Commonwealth shall develop and implement internal operating procedures to ensure that:

(i) all exhibits are secured and maintained in a manner that protects them from loss, damage, degradation, and contamination; and

(ii) the chain of custody is fully documented and remains unbroken.

(iii) When the Commonwealth serves as the custodian of an exhibit pursuant to this paragraph, the appropriate law enforcement agency designated to take such custody shall secure and safely maintain it at all times.

(c) The Clerk of Courts and Commonwealth shall comply with the requirements of all applicable record retention schedules (the “schedules”), including, without limitation, the County Records Act, 16 P.S. §§ 13001 et seq., and Pa.R.J.A. 507. The time periods prescribed by the schedules shall be deemed minimum terms for the retention of exhibits. Generally, the Clerk of Courts and Commonwealth shall retain custody of exhibits until the subject defendant/adjudicated juvenile has completed his or her sentence and all possible appeals have been exhausted. The Clerk of Courts and any party to a court proceeding may request the court to direct that any exhibit be retained for a period longer than the minimum term prescribed herein and by the applicable schedules.

(2) *Index of Exhibits.* The Clerk of Courts shall prepare a list of all exhibits that are accepted or rejected from evidence during a court proceeding (the “Index”), including those exhibits that remain in the custody of the proponent(s). For each exhibit listed, the Clerk of Courts shall:

(a) identify the proponent and the exhibit number;

(b) describe or identify the exhibit;

(c) indicate whether the exhibit was admitted or rejected from evidence;

(d) indicate whether the exhibit is in the custody of the Commonwealth or another proponent; and

(e) indicate whether the exhibit is a substitute exhibit.

(C) *During Court Proceedings Involving Other Records Offices.*<sup>3</sup> During a court proceeding involving other records offices, as well as during all such court proceeding breaks and recesses:

(1) The subject records office shall serve as the custodian of:

(a) all documentary exhibits, photographs, and photographs of non-documentary exhibits; and

(b) all exhibits subject to Pa.R.J.A. 5103(c)(3) (relating to non-documentary exhibits that are bulky, oversized, or physically impractical for a court staff—custodian to maintain) that the records office does not direct the proponent to maintain and secure.

(2) The court shall appoint an appropriate custodian designee of: all weapons, cash, other items of value, drugs or other dangerous materials, electronic devices, contraband, and hazardous materials, including, without limitation, guns, knives, explosives, controlled substances, narcotics, intoxicants, currency, money, negotiable instruments, toxic materials, and biohazardous materials. When the court appointed custodian designee takes custody of an exhibit it shall secure and safely maintain it at all times.

(3) The proponent shall serve as the custodian of: all exhibits subject to Pa.R.J.A. 5103(c)(3) (relating to non-documentary exhibits that are bulky, oversized, or physically impractical for a court staff—custodian to maintain) that the records office directs the proponent to maintain and secure.

(D) *After Court Proceedings Involving Other Records Offices.*

(1) *Custodians.* Immediately upon conclusion of a court proceeding:

(a) The records office and any court appointed custodian designee shall retain all exhibits of which it took custody during the court proceeding pursuant to paragraph (C)(1).

(b) The records offices and any court appointed custodian designee taking custody of exhibits during/after court proceedings shall develop and implement internal operating procedures to ensure that:

i. all exhibits are secured and maintained in a manner that protects them from loss, damage, degradation, and contamination; and

ii. the chain of custody is fully documented and remains unbroken.

(c) Those records offices and any court appointed custodian designees taking custody of exhibits after court proceedings shall comply with the requirements of all applicable record retention schedules (the “schedules”), including, without limitation, the County Records Act, 16 P.S. §§ 13001 et seq., and Pa.R.J.A. 507. The time periods prescribed by the schedules shall be deemed minimum terms for the retention of exhibits. Generally, the records offices shall retain custody of exhibits until all possible appeals have been exhausted. The records office and any party to a court proceeding may request the court to direct that any exhibit be retained for a period longer than the minimum term prescribed herein and by the applicable schedules.

(2) *Index of Exhibits.* Any records office taking custody of exhibits during or after a court proceeding shall prepare a list of all exhibits that are accepted or rejected from evidence during the court proceeding (the “Index”), including those exhibits that remain in the custody of the proponent(s). For each exhibit listed, the records office shall:

<sup>3</sup> “Records Office” is defined in Pa.R.J.A. 5101, and the comments thereto, as including the clerk of courts, prothonotary and clerk of the orphans’ court. This paragraph (C), and the following paragraph (D), pertain to the prothonotary and clerk of the orphans’ court. The following sections, C.C.R.J.A. Rule 5103 and C.C.R.J.A. Rule 5105, pertain to all three of these records offices.

- (a) identify the proponent and the exhibit number;
- (b) describe or identify the exhibit;
- (c) indicate whether the exhibit was admitted or rejected from evidence;
- (d) indicate whether the exhibit is in the custody of the court appointed designee or a proponent; and
- (e) indicate whether the exhibit is a substitute exhibit.

**C.C.R.J.A. Rule 5103. Custody of Exhibits. Special Provisions.**

(A) *Documentary Exhibits.*

(1) Whenever a proponent offers into evidence an exhibit such as a letter, report, drawing, map, photograph, or other document that is larger in size than 8 1/2 × 11 inches, the proponent shall contemporaneously provide to the appropriate records office a copy of the document (said copy approved by the parties or the court) reduced to 8 1/2 × 11 inches (or smaller). The smaller-sized document, of which the records office shall assume custody, shall be entered into the record as the substitute exhibit (“substitute exhibit”) in lieu of the oversized original. The proponent shall retain custody of the oversized original.

(2) If exigent circumstances prevent the proponent from providing the smaller-sized document to the records office at the same time the proponent offers the oversized original into evidence, then the proponent shall file the smaller-sized document copy (said copy approved by the parties or the court) as the substitute exhibit with the records office not later than five (5) business days after the court proceeding has concluded.

(B) *Photographs.*

(1) Whenever a proponent offers into evidence a photograph that is larger in size than 8 1/2 × 11 inches, the proponent shall contemporaneously provide to the records office a copy of the photograph (said copy approved by the parties or the court) reduced to 8 1/2 × 11 inches (or smaller). The smaller-sized photograph, of which the records office shall assume custody, shall be entered into the record as the substitute exhibit in lieu of the oversized original. The proponent shall retain custody of the oversized original.

(2) If exigent circumstances prevent the proponent from providing the smaller-sized photograph to the records office at the same time the proponent offers the oversized original into evidence, then the proponent shall file the smaller-sized photograph copy (said copy approved by the parties or the court) as the substitute exhibit with the records office not later than five (5) business days after the court proceeding has concluded.

(C) *Non-documentary Exhibits: Generally.*

(1) Whenever a proponent offers into evidence a non-documentary exhibit, the proponent shall contemporaneously provide to the records office a photograph (said photograph approved by the parties or the court) of the exhibit (no larger in size than 8 1/2 × 11 inches). The photograph, of which the records office shall assume custody, shall be entered into the record as the substitute exhibit in lieu of the original non-documentary exhibit. The proponent shall retain custody of the original non-documentary original exhibit.

(2) If exigent circumstances prevent the proponent from providing the photograph to the records office at the same time the proponent offers the original exhibit into evidence, then the proponent shall file the photograph

(said photograph approved by the parties or the court) with the records office not later than five (5) business days after the court proceeding has concluded.

(D) *Method of Filing.* Whenever the permissible substitute exhibit for an original exhibit identified in paragraph (A)(1), (B)(1), or (C)(1) was not provided to the records office during a court proceeding, the proponent shall hand-deliver the substitute exhibit to the records office within the timeframes set forth in paragraphs (A)(2), (B)(2), and (C)(2). In no event shall the substitute exhibit be filed with the records office electronically or by mail.

(E) *Relief.* If a proponent does not timely file a permissible substitute exhibit for an original exhibit in accordance with C.C.R.J.A. Rule 5103(D), the records office and any party may seek appropriate relief from the court.

**C.C.R.J.A. Rule 5105. Access and Inspection of Exhibits by the Public, Court Staff, and Appellate Courts.**

(A) *Public Access and Inspection.* Upon request pursuant to Section 4.0 of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (the “Public Access Policy”), the applicable custodian shall make an exhibit available to any member of the public for inspection, provided that the exhibit is not:

- (1) subject to the confidentiality provisions of the Public Access Policy;
- (2) sealed pursuant to court order, whether during or after a court proceeding; or
- (3) otherwise exempted from public access pursuant to federal law, state law, or state court rule.

The applicable custodian’s response to any request for public access and inspection shall comport with Section 5.0 of the Public Access Policy.

(B) *Access and Inspection by Court Staff.* Notwithstanding the provisions of paragraph (A), any member of court staff acting in his/her official capacity (“court staff”) may access and inspect any non-sealed exhibit necessary to perform his/her official duties; provided, however, that no exhibit shall be released into the temporary custody of court staff absent a court order containing the applicable case caption, the number(s) of the exhibit(s) to be released, and a date certain by which court staff must return the exhibit(s) to the applicable custodian. If court staff does not return the exhibit(s) to the applicable custodian on or before the date certain specified in the order, the custodian may seek appropriate relief from the court.

(C) *Transmission of Exhibits for Purposes of Appeal.* After an appeal has been filed, the subject records office having custody of exhibits after court proceedings shall transmit exhibits to an appellate court as provided in Pa.R.A.P. 1931(c); provided, however, that no exhibit sealed in the court of common pleas shall be transmitted unless the court, a party or the prothonotary of the appellate court directs the records office to do so. Any such exhibit sealed in the court of common pleas shall remain under seal when transmitted to the appellate court.

[Pa.B. Doc. No. 24-330. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### FRANKLIN AND FULTON COUNTIES

#### Adoption of 39th Jud.Dis. Rules Jud.Adm. 1901 and 1901.1 and Rescission of Other Rules; Administrative Order re: 2024-634

##### Order

And Now, this 26th day of February, 2024, pursuant to Pennsylvania Rule of Judicial Administration 103(c), the 39th Judicial District hereby adopts 39th Jud.Dis. Rules Jud.Adm. 1901 and 1901.1, for both Franklin and Fulton Counties, effective thirty (30) days after the publication of same in the *Pennsylvania Bulletin*. Additionally, the Court rescinds the previously adopted local rules within the 39th Judicial District: 39-1901 and 39-1901.1.

Accordingly, Mr. Mark Singer, District Court Administrator for the 39th Judicial District, is ordered and directed to do the following:

1. Email one (1) copy of this Order and the following rules to the Administrative Office of Pennsylvania Courts (AOPC) at [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

2. Mail one (1) paper copy of this Order and the following rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* to the following address: Pa. Code and Bulletin, Legislative Reference Bureau, 647 Main Capitol Building, Harrisburg PA 17120.

3. Email one (1) copy of this Order and the following rules in Microsoft Word format only to the Legislative Bureau at [bulletin@palrb.us](mailto:bulletin@palrb.us) for publication in The *Pennsylvania Bulletin*.

4. File one (1) copy of this Order and the following rules with the Prothonotary in Franklin County and the Prothonotary in Fulton County, and mail one (1) copy to the Franklin County Law Library for public inspection and copying.

5. Publish a copy of this Order and the following rules on the Franklin County Court website and the Fulton County Court website.

6. Incorporate and publish the following rules into the 39th Judicial District's set of local rules on the Franklin County Court website and the Fulton County Court website not later than 30 days after the Rules have been published in the *Pennsylvania Bulletin*.

By the Court

SHAWN D. MEYERS,  
President Judge

#### 39th Jud.Dist.R.Jud.Adm. 1901. Termination of Inactive Cases.

(a) *List of Cases for Termination.* Not less than once per year, the Prothonotary shall prepare a list of cases where there has been no activity of record for two years or more prior thereto, except those actions governed by Pa.R.C.P. 1915.4(b). The list shall be generated sufficiently in advance of the proposed termination date to provide the parties with at least thirty (30) days' written notice of the proposed termination.

(b) *Issuance and Service of Notice of Proposed Termination of Court Case.* For each case on the list, the Court shall issue a written Notice of Proposed Termination of Court Case to counsel of record and to self-represented parties for whom no appearance of counsel has been entered. The Notice of Proposed Termination of Court Case shall be served pursuant to Pa.R.C.P. 230.2(b)(2).

(c) *Content of Notice of Proposed Termination of Court Case.* The Notice of Proposed Termination of Court Case shall be on a form developed by the Court consistent with Pa.R.J.A. 1901(c)(3). The Notice shall contain a brief identification of the matter to be terminated, the date of the proposed termination, and the procedure to avoid termination consistent with Pa.R.J.A. 1901(c)(1). The Notice shall be in the form following the conclusion of this Rule.

(d) *Form of Written Statement of Intention to Proceed.* The written Statement of Intention to Proceed shall be filed with the Prothonotary on or before the termination deadline stated on the Notice of Proposed Termination of Court Case. The Written Statement of Intention to Proceed shall be in the form following the conclusion of this Rule.

(e) *Orders for Termination and Removal from the Civil Docket.* If a written Statement of Intention to Proceed is not docketed before the termination deadline set forth within the written Notice of Proposed Termination of Court Case, the Prothonotary shall enter an order dismissing the matter for failure to prosecute consistent with the provisions of this Rule and Pa.R.C.P. 230.2(c). However, any matter terminated may be reinstated by the Court after dismissal upon written petition pursuant to Pa.R.C.P. 230.2(d). The Prothonotary's termination order shall be in form following the conclusion of this Rule.

(f) *Mandatory Status Conference.* Upon receipt of a party's written Statement of Intention to Proceed pursuant to subdivision (d), the Court shall enter an Order scheduling a status conference to establish timelines to ensure efficient disposition of the case, consistent with Pa.R.C.P. 230.2(h).

### THE COURT OF COMMON PLEAS OF THE 39th JUDICIAL DISTRICT OF PENNSYLVANIA— FRANKLIN COUNTY

(Caption)

#### NOTICE OF PROPOSED TERMINATION OF COURT CASE

The above captioned case is described as \_\_\_\_\_.

The Court intends to terminate this case without further notice because the docket shows no activity in the case for at least two years.

You may stop the Court from terminating the case by filing a written Statement of Intention to Proceed. The Statement of Intention to Proceed should be filed with the Franklin County Prothonotary at 14 N. Main St., Chambersburg, PA 17201, on or before \_\_\_\_\_ (Date of Proposed Termination).

**IF YOU FAIL TO FILE THE REQUIRED STATEMENT OF INTENTION TO PROCEED, THE CASE WILL BE TERMINATED BY THE COURT WITHOUT FURTHER NOTICE.**

BY THE COURT:

\_\_\_\_\_  
Date of this Notice

\_\_\_\_\_  
President Judge

Distribution:  
Plaintiff's Counsel/Party  
Defense/Opposing Counsel/Party

**THE COURT OF COMMON PLEAS OF THE 39th JUDICIAL DISTRICT OF PENNSYLVANIA—  
FULTON COUNTY**

(Caption)

**NOTICE OF PROPOSED TERMINATION OF COURT CASE**

The above captioned case is described as \_\_\_\_\_ .

The Court intends to terminate this case without further notice because the docket shows no activity in the case for at least two years.

You may stop the Court from terminating the case by filing a written Statement of Intention to Proceed. The Statement of Intention to Proceed should be filed with the Fulton County Prothonotary at 201 North Second Street, McConnellsburg, PA 17233, on or before \_\_\_\_\_ (Date of Proposed Termination).

**IF YOU FAIL TO FILE THE REQUIRED STATEMENT OF INTENTION TO PROCEED, THE CASE WILL BE TERMINATED BY THE COURT WITHOUT FURTHER NOTICE.**

BY THE COURT:

\_\_\_\_\_  
Date of this Notice

\_\_\_\_\_  
President Judge

Distribution:  
Plaintiff's Counsel/Party  
Defense/Opposing Counsel/Party

**THE COURT OF COMMON PLEAS OF THE 39th JUDICIAL DISTRICT OF PENNSYLVANIA—  
FRANKLIN COUNTY**

(Caption)

**Statement of Intention to Proceed**

To the Court:

Franklin County Prothonotary  
14 N. Main St.  
Chambersburg, PA 17201

\_\_\_\_\_ intends to proceed with the above captioned matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Party Signature or Attorney for

Distribution:  
Opposing Counsel/Party

THE COURT OF COMMON PLEAS OF THE 39th JUDICIAL DISTRICT OF PENNSYLVANIA—  
FULTON COUNTY

(Caption)

Statement of Intention to Proceed

To the Court:

Fulton County Prothonotary  
201 North Second Street  
McConnellsburg, PA 17233

\_\_\_\_\_ intends to proceed with the above captioned matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Party Signature or Attorney for

Distribution:  
Opposing Counsel/Party

THE COURT OF COMMON PLEAS OF THE 39th JUDICIAL DISTRICT OF PENNSYLVANIA—  
FRANKLIN COUNTY

(Caption)

ORDER

AND NOW THIS \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, upon review of the record, more than 30 days has passed since the service of the Notice of Proposed Termination of Court Case, and the Court received no Statement of Intention to Proceed. Accordingly,

IT IS HEREBY ORDERED that the above captioned matter is TERMINATED for failure to prosecute pursuant to Pa.R.C.P. 230.2(c).

Pursuant to Pa.R.C.P. 236, the Prothonotary shall give written notice of the entry of this Order, including a copy of this Order, to each party, and shall note in the docket the giving of such notice and the time and manner thereof.

PER THE PROTHONOTARY:

\_\_\_\_\_  
Franklin County Prothonotary  
14 N. Main St.  
Chambersburg, PA 17201

Distribution:  
Plaintiff's Counsel/Party  
Defense/Opposing Counsel/Party

THE COURT OF COMMON PLEAS OF THE 39th JUDICIAL DISTRICT OF PENNSYLVANIA—  
FULTON COUNTY

(Caption)

ORDER

AND NOW THIS \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, upon review of the record, more than 30 days has passed since the service of the Notice of Proposed Termination of Court Case, and the Court received no Statement of Intention to Proceed. Accordingly,

IT IS HEREBY ORDERED that the above captioned matter is TERMINATED for failure to prosecute pursuant to Pa.R.C.P. 230.2(c).

Pursuant to Pa.R.C.P. 236, the Prothonotary shall give written notice of the entry of this Order, including a copy of this Order, to each party, and shall note in the docket the giving of such notice and the time and manner thereof.

PER THE PROTHONOTARY:

Fulton County Prothonotary  
201 North Second Street  
McConnellsburg, PA 17233

Distribution:  
Plaintiff's Counsel/Party  
Defense/Opposing Counsel/Party

**39th Jud.Dist.R.Jud.Adm. 1901.1. Termination of In-active Cases before the Magisterial District Courts.**

(a) *Cases for Termination.* At least once a year, the district court shall initiate proceedings to terminate cases in which there has been no activity of record for two years or more and shall report such information to the District Court Administrator or their designee.

(b) *Issuance and Content of Notice of Proposed Termination of Court Case.* For each case identified pursuant to subdivision (a), the district court shall serve a Notice of Proposed Termination of Court Case on all counsel of record, and on the parties, if not represented, at least 30 days prior to the date of the proposed termination. The Notice shall contain a brief identification of the matter to be terminated, the date of the proposed termination, and

the procedure to avoid termination. The written Notice of Proposed Termination of Court Case shall be in the form following the conclusion of this Rule.

(c) *Service of Proposed Termination of Court Case.* The Notice of Proposed Termination of Court Case shall be served on all counsel of record and on the parties, if not represented, consistent with Pa.R.C.P. 230.2(b)(2).

(d) *Orders for Termination.* If no Statement of Intention to Proceed has been received by the district court on or before the date of the proposed termination, the magisterial district judge shall enter an order as of course terminating the matter for failure to prosecute. The order shall be in the form following the conclusion of this Rule.

(e) *Form of the Written Statement of Intention to Proceed.* The written Statement of Intention to Proceed shall be in the form following the conclusion of this Rule.

(Caption)

**NOTICE OF PROPOSED TERMINATION OF COURT CASE**

The above captioned case is described as \_\_\_\_\_ .

The Court intends to terminate this case without further notice because the docket shows no activity in the case for at least two years.

You may stop the Court from terminating the case by filing a written Statement of Intention to Proceed in the form prescribed by 39th Jud.Dist.R.Jud.Adm. 1901.1(e). The Statement of Intention to Proceed should be filed with the Magisterial District Court Office, on or before \_\_\_\_\_ (Date of Proposed Termination).

**IF YOU FAIL TO FILE THE REQUIRED STATEMENT OF INTENTION TO PROCEED, THE CASE WILL BE TERMINATED BY THE COURT WITHOUT FURTHER NOTICE.**

BY THE COURT:

\_\_\_\_\_  
Date of this Notice

\_\_\_\_\_  
Magisterial District Judge  
Address

Distribution:  
Plaintiff's Counsel/Party  
Defense/Opposing Counsel/Party

(Caption)

**ORDER**

AND NOW THIS \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, upon review of the record, more than 30 days has passed since the service of the Notice of Proposed Termination of Court Case, and the Magisterial District Court received no Statement of Intention to Proceed. Accordingly,

IT IS HEREBY ORDERED that the above captioned matter is TERMINATED for failure to prosecute pursuant to Pa.R.C.P. 230.2(c).

Pursuant to Pa.R.Civ.P.M.D.J. 207.1(C), the Magisterial District Court shall give written notice of the entry of this Order, including a copy of this Order, to each party, and shall note in the docket the giving of such notice and the time and manner thereof.

BY THE COURT,

\_\_\_\_\_  
 Magisterial District Judge  
 Address

Distribution:  
 Plaintiff's Counsel/Party  
 Defense/Opposing Counsel/Party

(Caption)

**Statement of Intention to Proceed**

To the Court:

Magisterial District Court Office  
 Address

\_\_\_\_\_ (print name of party) intends to proceed with the above captioned matter.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Party Signature or Attorney for

Distribution:  
 Opposing Counsel/Party

[Pa.B. Doc. No. 24-331. Filed for public inspection March 15, 2024, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**JEFFERSON COUNTY**

**Custody of Exhibits During and After Court Proceedings; No. 5-2024 A.D.**

**Order**

*And Now*, this 29th day of February 2024, *It Is Ordered That* Jefferson County Local Rule of Judicial Administration 5104 (governing custody of exhibits) is hereby adopted in the following form:

**Rule 5104. Custody of Exhibits.**

(a)(1) During jury trials, an employee from the Prothonotary/Clerk of Courts' Office shall safeguard and maintain exhibits. If no one from that office is available, that duty shall fall to the official Court Recorder. In all other proceedings over which a judge is presiding, the Court Recorder or judge shall safeguard and maintain exhibits.

(a)(2) After a verdict is rendered in a jury trial, an employee from the Prothonotary/Clerk of Courts' office shall take immediate possession of the exhibits for filing and shall prepare an accompanying index of exhibits in accordance with Pa.R.J.A. 5102(b)(2). For all other proceedings, the Court Recorder or judge shall take possession of the exhibits and a judicial employee shall prepare the accompanying index. If a written decision will be rendered at a later date, the exhibits and their index shall be filed with the corresponding decision. Otherwise,

the Court Recorder shall remit the exhibits and index to the Prothonotary/Clerk of Courts' office for filing within 5 business days.

(a)(3) A proponent of a non-documentary or photographic exhibit shall enter into evidence a representative photograph (or multiple photographs if more than one perspective is evidentiarily relevant) of the item. Said photograph(s) will be filed with the record. Additionally, a proponent of documentary exhibits collectively totaling more than 50 pages shall, along with the physical documents, enter into evidence a corresponding CD, flash drive, or similar electronic medium to be filed with the record.

(a)(4) Unless otherwise directed by the judge, the proponent of any exhibit that is not in documentary or photographic form shall retake possession of the exhibit and maintain it in a secure location until the relevant exhibit retention period has expired. See Destruction of Exhibits, below. The Court Recorder or judge shall take possession of the physical copies of documents and photographs entered into evidence via an electronic device and shall dispose of them once they are no longer necessary for disposition of the matter in the trial court.

(b) Hearings held before a master, hearing officer, board of arbitrators, or magisterial district judge shall not be subject to the requirements set forth in subsection (a) of this Rule.

*Destruction of Exhibits.* All exhibits not subject to an existing rule, e.g., a rule governing the retention of records, may be disposed of, at the earliest, in accordance with the following time schedule:

*Non-criminal matters.* Ninety (90) days after final disposition in the trial court or, if an appeal is taken, ninety (90) days after final disposition in the highest court to which an appeal is taken.

*Criminal matters.*

1. *Homicide cases.* Seventy-five (75) years.
2. *Summary cases.* Five (5) years.
3. *All other cases.* Twenty (20) years.

This Order shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

HON. JOHN HENRY FORADORA,  
*President Judge*

[Pa.B. Doc. No. 24-332. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### MERCER COUNTY

#### Amendments to Local Rules of Judicial Administration; Order No. 2024-636

*And Now*, this 29th day of February 2024, the Court hereby *Approves, Adopts, and Promulgates* the following Amendments to the Mercer County Local Rules of Judicial Administration to include the following provisions regarding Custody of Exhibits.

*It Is Further Ordered and Directed* that the District Court Administrator of Mercer County shall file one (1) certified copy of the Amendments with the Administrative Office of the Pennsylvania Courts and furnish two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

*It Is Further Order and Directed* that these Amendments shall be kept continuously available for public inspection and copying in the Office of the Clerk of Courts of Mercer County and the Office of the Prothonotary of Mercer County. This Order shall be published in the *Mercer County Law Journal*.

By the Court

DANIEL P. WALLACE,  
*President Judge*

#### AMENDMENTS TO LOCAL RULES OF JUDICIAL ADMINISTRATION REGARDING CUSTODY OF EXHIBITS

A. The Local Rules of Judicial Administration shall be amended to add the following:

##### Rule 5102. General Provisions.

For all court proceedings, the court reporter, court recorder, or court monitor shall be designated as the "Custodian," as defined by Pa.R.J.A. 5101(a)(2), for all submitted exhibits, either accepted or rejected, during a court proceeding.

(a) Within 5 business days of the conclusion of a court proceeding, the Custodian shall file an index of all submitted exhibits with the appropriate records office, on a form that complies with Pa.R.J.A. 5102(b)(2).

(b) If there are multiple Custodians involved with a proceeding, the first Custodian shall provide the subsequent Custodian (and so on, if more than two Custodians)

with the submitted exhibits and the index of exhibits. The Custodian at the conclusion of the proceeding shall be responsible for filing an index of exhibits with the appropriate records office within 5 business days of the conclusion of the proceeding.

##### Rule 5103. Custody of Exhibits. Special Provisions.

(a) The Custodian shall retain all exhibits during court proceedings.

(b) Unless otherwise provided by the presiding judge, at the conclusion of the court proceeding, the Custodian shall retain all exhibits and shall arrange for their storage and maintenance in the secured exhibit storage room, in accordance with any applicable retention schedule, statute, rule, regulation, or policy, or until further Order of Court.

(c) Unless otherwise ordered, the Custodian shall maintain all exhibits for a period of ten years except for exhibits submitted in a homicide case, which shall be maintained permanently.

(d) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record on a Universal Serial Bus (USB) flash drive (or other format if expressly approved by the Court). If one party has multiple digital exhibits, they may be submitted together on one USB flash drive.

(e) Any exhibit containing confidential information or equivalent to any of the categories enumerated in Pa. Access Policy § 8.0 shall include a Confidential Document Form so that the document can be properly sealed.

[Pa.B. Doc. No. 24-333. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### NORTHUMBERLAND COUNTY

#### Local Rule—NCV-5102; No. AD-2024-3

##### Order

*And Now*, this 1st day of March, 2024, it is hereby *Ordered* that Local Rule of Judicial Administration, NCV—5102 is adopted effective April 1, 2024.

The Northumberland County District Court Administrator is directed as follows:

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

(2) One paper copy mailed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* to the following address:

Pa. Code and Bulletin  
Legislative Reference Bureau  
647 Main Capitol Building  
Harrisburg, PA 17120

And another copy e-mailed in a Microsoft Word format only to [bulletin@palrb.us](mailto:bulletin@palrb.us).

(3) One copy shall be sent to the Editor of the *Northumberland County Legal Journal*.

(4) Publish a copy of the Administrative Order with Local Rule on the web site of Northumberland County.

(5) Thereafter, compile the Local Rule within the complete set of local rules no later than 30 days following the publication in the *Pennsylvania Bulletin*.



It is further *Ordered* that a copy of the Local Rule shall be kept continuously available for public inspection and copying in the office of the Prothonotary of Northumberland County.

*By the Court*

PAIGE ROSINI,  
*President Judge*

### **Rule NCV 5102. Custody of Exhibits.**

Local Rule of Judicial Administration 5102 is issued to align practice and procedure of Northumberland County Court of Common Pleas with Pa.R.J.A. 5101—5105. This local rule incorporates the terms of art and their definitions as set forth in Pa.R.J.A. 5101. Reference to Pa.R.J.A. 5101—5105 shall be made when interpreting Northumberland County Local Rule 5102 and when determining the procedure and practice for Exhibit Retention in Northumberland County. This local rule does not apply to any record hearing which may be appealed de novo to the Court of Common Pleas or upon which exceptions or objections can be filed to the Court of Common Pleas.

1. A. Until the conclusion of a proceeding, the proponent (the party moving the exhibit into evidence) of any exhibit being offered into evidence shall be its custodian and is responsible for safeguarding and maintaining the exhibit. At the conclusion of the proceeding, the proponent shall submit to the Court 1) the exhibits offered into evidence; and 2) a numbered list of exhibits offered into evidence including a) a textual description or identification of each exhibit; and b) whether the exhibit was admitted into or rejected from evidence by the Court.

B. After the proceeding, the Office of the Court Administrator, or its designee, shall be designated as the “Custodian”, as defined by Pa.R.J.A. 5101(a)(2), for all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted during the court proceeding. The custodian shall file with the appropriate records office (Prothonotary/Clerk of Courts/Orphans Court) all submitted exhibits and index of exhibits within five (5) business days of the conclusion of the proceeding.

2. Prior to the proceeding, the proponent (the party moving the exhibit into evidence) shall assure that documentary evidence is in a format, including size and material, that is compatible with being filed, viewed, and easily stored by the records office, namely 8.5 × 11-inch paper printed only on one side. If, due to the nature or size of the exhibit, it is not easily capable of storage by the records office, then the records office may request that alternate measures be undertaken for storage of this documentary evidence. If the total number of pages of exhibits from a proponent is in excess of twenty-five (25), the proponent shall submit the exhibits to the court on a USB drive.

3. The proponent (the party moving the exhibit into evidence) shall retain custody of physical evidence, including, but not limited to, weapons, cash, other items of value, drugs, other dangerous materials, bulky, oversized, or otherwise physically impractical exhibits at all times before and after a court proceeding.

A. These non-documentary exhibits must be photographed by the proponent, converted to a letter-sized (8.5 × 11 inch) document, and appropriately marked and produced during the court proceeding for inclusion in the documentary record.

B. Unless otherwise provided by the presiding judge, at the conclusion of the court proceeding, non-documentary evidence shall be returned to the proponent for safekeep-

ing as required by any applicable retention schedule, statute, rule, regulation, or policy, or until further order of court.

4. Unless otherwise ordered, the proponent shall maintain non-documentary exhibits for a minimum of the following time periods:

A. *Non-criminal matters.* Retain exhibits until the expiration of the appeal period or the final disposition of the appeal if one is taken, whichever is later.

B. *Criminal matters:*

i. *Homicides*—75 years.

ii. *Felony cases*—20 years.

iii. *Misdemeanor cases*—10 years.

iv. *Summary cases*—5 years.

5. Any digital exhibit that cannot be printed (i.e. audio or video recording) shall be entered into the record on a Universal Serial Bus (USB) flash drive, or other format if expressly approved by the court. If one party has multiple digital exhibits, they may be submitted together on one USB flash drive.

6. Any exhibit containing confidential information or equivalent to any of the categories enumerated in Pa. Access Policy § 8.0 shall include a Confidential Document Form so that the document can be properly sealed by the record office.

Adopted February 29, 2024, effective April 1, 2024.

[Pa.B. Doc. No. 24-334. Filed for public inspection March 15, 2024, 9:00 a.m.]

## **Title 255—LOCAL COURT RULES**

### **YORK COUNTY**

#### **Adoption of Local Rule of Judicial Administration 5104 and Renumbering of Rule 7040; CP-67-AD-8-2024; 2024-MI-188; 6724-0533**

#### **Administrative Order Adopting York County Rule of Judicial Administration 5104 and Renumbering Rule 7040 Regarding Custody and Presentation of Exhibits in Court Proceedings**

*And Now*, this 4th day of March, 2024, it is *Ordered* that York County Local Rule of Judicial Administration 5104 is adopted, and Rule 7040 is renumbered, effective April 1, 2024.

The District Court Administrator shall publish this order as may be required.

*By the Court*

MARIA MUSTI COOK,  
*President Judge*

Material to be added is bolded and underlined.

Material to be deleted is bolded and bracketed.

#### **Rule 5104. Custody and Presentation of Exhibits in Court Proceedings.**

**(A) This Rule shall apply to all record proceedings before this Court of Common Pleas.**

**(B) Designation of Custodian. Pursuant to Pa.R.J.A. 5102, each proponent offering evidence is designated as the custodian of that evidence at all**

times prior to the Court directing transfer of custody of the evidence to the appropriate filing office.

(C) Exhibit Tracking Form.

(1) Each proponent shall prepare exhibit tracking indexes utilizing a form to be designated by this Court and made available by the District Court Administrator through each filing office.

(2) Each proponent, at or prior to the beginning of the proceeding, shall provide copies of the exhibit tracking indexes to the presiding judge or hearing officer and opposing counsel or self-represented litigants.

(3) Proponents shall not include any information on the indexes that would require designation of the indexes as confidential documents pursuant to the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts.

(4) Each proponent shall annotate the original exhibit tracking indexes throughout the proceeding.

(5) When directed by the Court, each proponent and the filing office representative shall note the physical and custodial transfer of exhibits to the filing office on the original exhibit tracking indexes, at which time the filing office shall become custodian of the exhibits. Typically, this transfer shall take place in the courtroom at the conclusion of the proceeding. However, if an exhibit is large, valuable, dangerous, or requires reproduction as a facsimile for inclusion in the record, the Court may direct that the transfer of exhibits to the filing office occur at a later time or location as agreed upon by the proponent, filing office, and other interested parties.

(6) The filing office shall make the original exhibit tracking indexes part of the record of the case.

(7) Any party may request copies of the completed exhibit tracking indexes from the filing office after conclusion of the proceeding, in a manner prescribed by each filing office.

[ Rule 7040. ] (D) *Digital Media as Evidence.*

[ (A) ] (1) “Electronic evidence” refers to media created, transmitted, or stored in digital format including, but not limited to, all documents, photographs, audio files, video files, text messages, and/or social media excerpts proposed to be submitted as evidence or exchanged in discovery which is transmitted in any form other than paper.

[ (B) ] (2) All electronic evidence to be presented in a court proceeding or submitted into the record for the York County Court of Common Pleas shall comply with the

requirements of this Rule. Any electronic evidence that does not comply with this rule will not become a part of the record of the case.

[ (C) ] (3) When electronic evidence is used during a court proceeding, the party submitting electronic evidence shall:

[ (1) ] (a) provide a device by which the electronic evidence may be viewed or played which shall have an output which is compatible with the technology in the courtroom;

[ (2) ] (b) be familiar with how to operate the device so that the electronic evidence can be viewed;

[ (3) ] (c) make the electronic evidence available for use by the opposing parties during cross-examination of the same witness for which it was originally used;

[ (4) ] (d) provide the clerk with the electronic evidence, as amended through trial, on its submitted storage device with data preserved in its native format that shall:

[ (a) ] (i) have files formatted to a file type, whenever possible, consistent with the acceptable file types periodically published by the court. When a file type is unique or proprietary, the party must provide the appropriate codex or other software to be able to open and view the file on any computer;

[ (b) ] (ii) have individual files with each file name consistent with how the file will be referenced on the record (e.g., “Commonwealth’s Exhibit 1”);

[ (c) ] (iii) be provided on a secure and protected media storage device (see [ (D) ] (4), below); and

[ (d) ] (iv) be identified with a label that shall be affixed to each storage device legibly identifying the case caption (which may be abbreviated), docket number(s), and disk number (1 of 2, etc.) if there is more than one media storage device per case. If it is impractical to affix such label directly on the media storage device, the media storage device shall be submitted in an 8 1/2” by 11” envelope which shall be labeled with all the above information.

[ (D) ] (4) The court only accepts the media storage device and file types as periodically published by the court on its public website. The court shall periodically seek input from the York County Bar Association regarding device and file types commonly in use by practitioners. Such storage devices shall be for the exclusive use of the courts and authorized court personnel, unless otherwise ordered.

[ (E) ] (5) The clerk shall retain electronic evidence for the same time frame as it would retain any other form of evidence.

[Pa.B. Doc. No. 24-335. Filed for public inspection March 15, 2024, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 133 ]

#### Wildlife Classification; Birds

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its January 27, 2024, meeting amends § 133.21 (relating to classification of birds) by adding the Black Rail (*Laterallus jamaicensis*) to the Commonwealth's list of threatened birds due to its Federally protected status and small, sporadic population in this Commonwealth.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 53 Pa.B. 6868 (November 4, 2023).

#### 1. Purpose and Authority

Black Rails are the smallest rail species in North America and the most secretive in behavior and habitat. Although this species is considered uncommon in this Commonwealth, compelling evidence indicates territories have been established and nesting may have been attempted. In 2020, the United States Fish and Wildlife Service classified the Eastern Black Rail subspecies *Laterallus jamaicensis jamaicensis* as threatened under the Endangered Species Act of 1973 (16 U.S.C. §§ 1531—1544), indicating between 0 to 5 breeding pairs currently occur in this Commonwealth. The Commission amends § 133.21 to add the Black Rail (*Laterallus jamaicensis*) to the Commonwealth's list of threatened birds due to its Federally protected status and small, sporadic population in this Commonwealth.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the commission to “[a]dd to or change the classification of any wild bird or wild animal.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 133.21 were adopted under this authority.

#### 2. Regulatory Requirements

This final-form rulemaking amends § 133.21 to add the Black Rail to the Commonwealth's list of threatened birds.

#### 3. Persons Affected

Persons concerned with Black Rail (*Laterallus jamaicensis*) within this Commonwealth will be affected by this final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received on this final-form rulemaking.

#### 5. Cost and Paperwork Requirements

This final-form rulemaking will not result in any additional cost or paperwork.

#### 6. Effective Date

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. Contact Person

For further information about this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 133, are amended by amending § 133.21 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-501 remains valid for the final adoption of the subject regulation.

#### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 133. WILDLIFE CLASSIFICATION

#### Subchapter B. BIRDS

#### § 133.21. Classification of birds.

The following birds are classified:

- (1) *Endangered*.
  - (i) King Rail (*Rallus elegans*)
  - (ii) Short-eared Owl (*Asio flammeus*)
  - (iii) Black Tern (*Chlidonias niger*)

- (iv) Least Bittern (*Ixobrychus exilis*)
- (v) Piping Plover (*Charadrius melodus*)
- (vi) Loggerhead Shrike (*Lanius ludovicianus*)
- (vii) American Bittern (*Botaurus lentiginosus*)
- (viii) Great Egret (*Ardea alba*)
- (ix) Yellow-crowned Night Heron (*Nyctanassa violacea*)
- (x) Common Tern (*Sterna hirundo*)
- (xi) Blackpoll Warbler (*Setophaga striata*)
- (xii) Black-crowned Night-Heron (*Nycticorax nycticorax*)
- (xiii) Dickcissel (*Spiza americana*)
- (xiv) Sedge Wren (*Cistothorus stellaris*)
- (xv) Yellow-bellied Flycatcher (*Empidonax flavi-ventris*)
- (xvi) Upland Sandpiper (*Batramia longicauda*)
- (xvii) Northern Goshawk (*Accipiter gentilis*)
- (2) *Threatened.*
- (i) Northern Harrier (*Circus hudsonius*)
- (ii) Long-eared Owl (*Asio otus*)
- (iii) [Reserved]
- (iv) Red Knot (*Calidris canutus rufa*)
- (v) Black Rail (*Laterallus jamaicensis*)

[Pa.B. Doc. No. 24-336. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 135 ]

#### Lands and Buildings; General Provisions

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its January 27, 2024, meeting amends § 135.2 (relating to unlawful actions) to prohibit any person from using or possessing a controlled substance or drug paraphernalia on Hunter Access Program (HAP) properties.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 53 Pa.B. 7022 (November 11, 2023).

#### 1. Purpose and Authority

State Game Wardens (SGW) and Deputy State Game Wardens (DSGW) are encountering an increasing number of individuals who are in possession of controlled substances or drug paraphernalia on State game lands and HAP properties. The Commission amends § 135.2 to prohibit any person from using or possessing a controlled substance or drug paraphernalia on HAP properties. The text of sections 721(b) and 925(b)(9) of the code (relating to control of property; and jurisdiction and penalties) set the grading for this regulatory usage violation as a summary offense of the fifth degree carrying a potential fine or penalty of \$100—\$200.

State game lands are comprised of approximately 1.5 million acres of lands and waters located within this

Commonwealth that are owned by the Commission and predominantly used to create and maintain game and wildlife habitat and areas for the public to access hunting and furtaking opportunities. Conversely, HAP properties are comprised of approximately 1.7 million acres of lands and waters located within this Commonwealth that are privately owned, but where certain hunting and trapping rights have been conveyed to the Commission pursuant to written agreement under sections 709 and 729 of the code (relating to cooperative agreements relating to land; and public access projects).

The Commission controls authorized usage of State game lands and HAP properties pursuant to the authority of section 721(a) of the code. Section 721(a) states “[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations consistent with the purpose of this title for its use and protection as necessary to properly manage these lands or waters.” The Commission has further promulgated regulations for State game lands only under § 135.41 (relating to State game lands). The Commission has also further promulgated regulations for both State game lands and HAP properties under § 135.2.

Section 135.41(c)(10) currently states that it is unlawful to “[u]se or possess any controlled substance or drug paraphernalia as defined or classified under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-143).” However, as previously identified, this usage violation only applies to lands and waters designated as State game lands. Furthermore, there is no similar provision under § 135.2 that is applicable to HAP properties. The absence of a similar provision creates two limitations for the Commission.

The first limitation concerns the absence of a charging alternative to minor controlled substance or drug paraphernalia violations under The Controlled Substance, Drug, Device and Cosmetic Act that occur on HAP properties. For example, any SGW who identifies a person to be in possession of a controlled substance or drug paraphernalia on State game lands currently has the discretion to charge the more serious misdemeanor graded offense under The Controlled Substance, Drug, Device and Cosmetic Act or, in the alternative, the less serious summary graded usage offense under § 135.41(c)(10). Any SGW or prosecuting attorney similarly has this lesser charging alternative available for plea discussion in pending Controlled Substance, Drug, Device and Cosmetic Act cases that occurred on State game lands. The Commission has determined that a similarly structured progressive grading alternative structure would be a valuable tool in disposing of the multitude of different controlled substance and drug paraphernalia violations occurring on HAP properties.

The second limitation concerns the comparatively lesser authority of DSGW as compared to SGW. Any SGW who identifies a person to be in possession of a controlled substance or drug paraphernalia on HAP property currently has the authority to directly enforce The Controlled Substance, Drug, Device and Cosmetic Act pursuant to the authority of section 901(a)(17) of the code (relating to powers and duties of enforcement officers). Section 901(a) states “[a]ny officer whose duty it is to enforce this title or any officer investigating any alleged violation of this title shall have the power and duty to . . .” and 901(a)(17) states “. . .apprehend or arrest any individual suspected of violating any provision of Title 18 (relating to crimes and

offenses) or any other offense classified as a misdemeanor or felony.” (Emphasis added.) Offenses under The Controlled Substance, Drug, Device and Cosmetic Act are graded as either misdemeanors or felonies; therefore, any SGW’s authority includes enforcement of the act. However, under the text of section 902 of the code (relating to deputy Game Commission officers), which explicitly bars the extension of section 901(a)(17) to a DSGW, these officers are not authorized to directly enforce The Controlled Substance, Drug, Device and Cosmetic Act.

Without an applicable regulation like § 135.41(c)(10) to address controlled substances and drug paraphernalia violations on HAP properties, DSGWs must request assistance from an SGW, a local police department or Pennsylvania State Police to address the violation outside of their direct authority. When these options are not available in a timely fashion, these violations will often go unaddressed. The amendment of § 135.2 creates a usage violation for persons found in possession of a controlled substance or drug paraphernalia that will be directly enforceable by both SGWs and DSGWs. This will consequently improve the efficiency of the enforcement operations of the Commission by reducing the necessity of alternate personnel to be called upon to attend to minor controlled substance and drug paraphernalia offenses occurring on HAP properties.

Section 721(a) of the code provides that “[t]he administration of all lands and waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations. . .for its use and protection as necessary to properly manage these lands or waters.” The amendments to § 135.2 are adopted under this authority.

2. *Regulatory Requirements*

This final-form rulemaking amends § 135.2 to prohibit any person from using or possessing a controlled substance or drug paraphernalia on HAP properties.

3. *Persons Affected*

Persons concerned with the possession of controlled substances or drug paraphernalia on HAP properties within this Commonwealth will be affected by this final-form rulemaking.

4. *Comment and Response Summary*

There were no official comments received on this final-form rulemaking.

5. *Cost and Paperwork Requirements*

This final-form rulemaking will not result in any additional cost or paperwork.

6. *Effective Date*

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information about this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to

as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 135, are amended by amending § 135.2 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-503 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 135. LANDS AND BUILDINGS**

**Subchapter A. GENERAL PROVISIONS**

**§ 135.2. Unlawful actions.**

In addition to the prohibitions in the act on lands, waters or buildings under Commission ownership, lease, agreement, control or jurisdiction, it is unlawful, except with the permission of the person in charge of the lands, or the written permission of the Director to:

- (1) Camp or use campsites.
- (2) Plant, gather, cut, dig, remove or otherwise injure plants or parts thereof, including trees, shrubs, vines, flowering plants, cultivated crops, mushrooms and fruits of berry-producing plants.
- (3) Travel on lands by means of vehicle or conveyance propelled by motorized power. This provision is not intended to restrict travel by certain devices used for persons with mobility disabilities as specifically authorized under Subchapter C (relating to State game lands).
- (4) Swim in a dam, pond, lake or stream.
- (5) Injure, destroy or cause damage to property—real, personal or mixed.
- (6) Remove or attempt to remove any manmade or natural object except wildlife and fish lawfully taken. Objects which may not be removed include animals, rocks, minerals, sand and historical or archaeological artifacts.
- (7) Participate in, become a part of, contribute to or engage in disorderly conduct as defined in 18 Pa.C.S. §§ 5503 and 5505 (relating to disorderly conduct; and public drunkenness).
- (8) Kindle, use or maintain an open fire.
- (9) Travel on roads open to vehicular travel with vehicle or conveyance propelled by motorized power which

is not licensed or authorized for operation on a public highway under 75 Pa.C.S. (relating to the Vehicle Code).

(10) Violate, fail or neglect to follow instructions posted on signs authorized by the Director.

(11) Travel by mechanical or motorized conveyance or ride animals on newly constructed, seeded or planted roads, or other areas, when posted against the travel.

(12) Possess, maintain, operate, occupy or travel by snowmobile or ATV in a manner not in accordance with the standards in 75 Pa.C.S. Chapter 77 (relating to Snowmobile and All-Terrain Vehicle Law).

(13) Construct, place, maintain, occupy, use, leave or abandon structures or other tangible property, except in the manner otherwise authorized and limited by § 135.41(c)(11) (relating to State game lands).

(14) Use or possess a controlled substance or drug paraphernalia as defined or classified under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

[Pa.B. Doc. No. 24-337. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 58—RECREATION

### GAME COMMISSION

#### [ 58 PA. CODE CH. 141 ]

#### Hunting and Trapping; General

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its January 27, 2024, meeting amends § 141.18 (relating to permitted devices) to authorize electronic devices used to disturb water with the purpose of preventing ice formation.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 53 Pa.B. 6869 (November 4, 2023).

#### 1. Purpose and Authority

The Commission recently conducted a formal review of the use of electronic devices intended to maintain open water, frequently referred to as “ice-eaters.” Ice-eaters can come in a variety of forms, such as fountains, propellers and bubblers, all with the intention of disturbing water to prevent ice formation or melt ice that has already formed. Waterfowl hunters use these devices in other jurisdictions where their use is lawful to maintain open water and entice waterfowl to remain in the area for hunting opportunities. When considering electronic devices, the Commission generally reviews to what degree use of a given device might negatively impact principles of resource conservation, equal opportunity, fair chase or public safety. The Commission’s review of these devices determined that their use would have insignificant negative impacts to the previously mentioned principles. Therefore, the Commission amends § 141.18 to authorize electronic devices used to disturb water with the purpose of preventing ice formation.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such

regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.18 are adopted under this authority.

#### 2. Regulatory Requirements

This final-form rulemaking amends § 141.18 to authorize electronic devices used to disturb water with the purpose of preventing ice formation.

#### 3. Persons Affected

Persons concerned with hunting where electronic devices used to disturb water for the purpose of preventing ice formation within this Commonwealth will be affected by this final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received on this final-form rulemaking.

#### 5. Cost and Paperwork Requirements

This final-form rulemaking will not result in any additional cost or paperwork.

#### 6. Effective Date

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. Contact Person

For further information about this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.18 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-502 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 141. HUNTING AND TRAPPING**

**Subchapter A. GENERAL**

**§ 141.18. Permitted devices.**

Notwithstanding the prohibitions in § 141.6 (relating to illegal devices), the following devices may be used to hunt or take wildlife:

(1) Firearms that use an electronic impulse to initiate discharge of ammunition. This provision is not intended to authorize use of these devices when these firearms are otherwise prohibited devices for the applicable hunting or trapping season.

\* \* \* \* \*

(11) Electronic hand-held and firearm-mounted night-vision and infrared optics used solely for furbearer hunting.

(12) Electronic devices used to disturb water for the purpose of preventing ice formation.

[Pa.B. Doc. No. 24-338. Filed for public inspection March 15, 2024, 9:00 a.m.]

**Title 58—RECREATION**

**GAME COMMISSION**

**[ 58 PA. CODE CH. 141 ]**

**Hunting and Trapping; Furbearers**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its January 27, 2024, meeting amends § 141.67 (relating to furbearer seasons) to prohibit the hunting of any furbearer using a dog during the overlap with any regular firearms deer season or regular firearms bear season.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 53 Pa.B. 6870 (November 4, 2023).

**1. Purpose and Authority**

Over the past several years, the Commission received an increasing number of complaints relating to hunters who are using dogs to hunt coyotes during the regular firearms deer and bear seasons. The Commission determined that the act of using dogs to hunt coyotes during the regular firearms deer and regular firearms bear seasons has resulted in both intentional and unintentional pushing, driving or killing of these big game species. The use of dogs to hunt big game is generally unlawful within this Commonwealth. Moreover, the Commission observed that the use of dogs to hunt coyotes during the regular firearms deer and regular firearms

bear seasons has frequently caused interference with hunters who were lawfully hunting deer or bear on properties where these activities coincided. The Commission amends § 141.67 to prohibit the hunting of any furbearer using a dog during the overlap with any regular firearms deer season or regular firearms bear season.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.67 are adopted under this authority.

**2. Regulatory Requirements**

This final-form rulemaking amends § 141.67 to prohibit the hunting of any furbearer using a dog during the overlap with any regular firearms deer season or regular firearms bear season.

**3. Persons Affected**

Persons concerned with hunting of any furbearer using a dog during the overlap with any regular firearms deer season or regular firearms bear season within this Commonwealth will be affected by this final-form rulemaking.

**4. Comment and Response Summary**

There were no official comments received on this final-form rulemaking.

**5. Cost and Paperwork Requirements**

This final-form rulemaking will not result in any additional cost or paperwork.

**6. Effective Date**

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

**7. Contact Person**

For further information about this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

**Findings**

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

**Order**

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.67 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-504 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 141. HUNTING AND TRAPPING**

**Subchapter D. FURBEARERS**

**§ 141.67. Furbearer seasons.**

(a) *Permitted devices.* It is lawful to hunt or take furbearers during any furtaking season with the following devices:

(1) A manually operated or semiautomatic rifle or manually operated handgun that propels single-projectile ammunition.

(2) A manually operated or semiautomatic, centerfire shotgun or muzzleloading shotgun. The firearm must be 10 gauge or less, that propels single-projectile ammunition or multiple-projectile shotgun ammunition not larger than # 4 buckshot. The centerfire shotgun's magazine capacity may not exceed two rounds. The shotgun's total aggregate ammunition capacity may not exceed three rounds.

(3) A muzzleloading rifle or handgun that propels single-projectile ammunition.

(4) A bow and arrow.

(5) A crossbow and bolt.

(6) A manually operated or semiautomatic air rifle or manually operated air handgun .22 caliber or larger that

propels single-projectile pellet or bullet ammunition. BB ammunition is not authorized.

(7) A leg-hold trap, except as prohibited under section 2361(a)(8) of the act (relating to unlawful acts concerning taking of furbearers).

(8) A body-gripping trap, except as prohibited under section 2361(a)(11) of the act.

(9) A cable restraint device authorized by § 141.66 (relating to cable restraints).

(10) A snare, except as prohibited under § 141.62(b) (relating to beaver and otter trapping).

(11) A cage or box trap, except as prohibited under section 2361(a)(17) of the act.

(12) A *raptor*. The raptor shall be lawfully possessed under a falconry permit under section 2925 of the act (relating to falconry permits).

(b) *Prohibitions.* While hunting furbearers during any furbearer hunting or trapping season, it is unlawful to:

(1) Use or possess multiple-projectile shotgun ammunition larger than # 4 buckshot, except as authorized under section 2525 of the act (relating to possession of firearm for protection of self or others).

(2) Use or possess a device or ammunition not provided for in the act or in this section, except as authorized under section 2525 of the act.

(3) Use any firearm, other than authorized in this paragraph, to dispatch legally trapped furbearers during the overlap with the regular or special firearms deer seasons:

(i) A manually operated or semiautomatic rimfire rifle or manually operated rimfire handgun .22 caliber or less.

(ii) A manually operated or semiautomatic air rifle or manually operated air handgun between .177 and .22 caliber, inclusive, that propels single-projectile pellet or bullet ammunition. BB ammunition is not authorized.

(4) Hunt any furbearer using a dog during the overlap with any regular firearms deer season or regular firearms bear season.

[Pa.B. Doc. No. 24-339. Filed for public inspection March 15, 2024, 9:00 a.m.]



# PROPOSED RULEMAKING

## GAME COMMISSION

[ 58 PA. CODE CH. 139 ]

### Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 27, 2024, meeting to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2024-2025 license year.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 27, 2024, meeting of the Commission. Comments may be sent until April 3, 2024, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 to provide updated seasons and bag limits for the 2024-2025 license year. The 2024-2025 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

For small game, eligibility to participate in the early October pheasant season segment would be expanded to include mentored hunters of all ages, and the Executive Director would be provided with increased flexibility to authorize pheasant hunting within Wild Pheasant Recovery Areas.

For wild turkey, fall season length changes are proposed for numerous Wildlife Management Units (WMU) based on analysis of long-term turkey population trends and results of turkey hunter surveys. Season length would be increased in 11 WMUs and WMU 5A (previously closed to fall hunting) would be opened for a 3-day season. Season length would be reduced in 2 WMUs (3D and 4C).

For black bear, the October muzzleloader season is proposed to be shortened to 3 days to reduce harvest rates on female bears and thereby promote stabilization of the bear population.

For furbearers, WMU 2D is proposed to be opened to bobcat hunting and trapping because habitat and population data indicate that this unit can support sustainable bobcat harvest. Also, the fisher trapping season is proposed to be increased by 1 week in all WMUs open to fisher harvest to provide additional opportunity and to make fisher and bobcat trapping seasons concurrent.

No changes are proposed for elk or white-tailed deer seasons. However, it is likely that analysis of license sales and harvest data following the January meeting will indicate a need for additional antlerless deer hunting opportunity in Chronic Wasting Disease WMUs where antlerless license allocations did not sell out and/or antlerless harvest goals were not met in 2023-2024.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking. . . .” The amendments to § 139.4 are proposed under this authority.

#### 2. Regulatory Requirements

This proposed rulemaking will amend § 139.4 to provide updated seasons and bag limits for the 2024-2025 hunting/furtaking license year.

#### 3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2024-2025 hunting/furtaking license year will be affected by this proposed rulemaking.

#### 4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

#### 5. Effective Date

The effective dates of this proposed rulemaking are July 1, 2024, to June 30, 2025.

#### 6. Contact Person

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** 48-506. No fiscal impact; recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 139. SEASONS AND BAG LIMITS

*(Editor’s Note: As part of this proposed rulemaking, the Commission is proposing to replace the table which appears in 58 Pa. Code § 139.4, pages 139-3—139-23, serial pages (414497)—(414517), with the following table.)*

§ 139.4 Seasons and bag limits for the license year.

**2024-2025 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT, FIELD POSSESSION LIMIT AND SEASON LIMIT OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Squirrel</i> —(Combined species) <sup>1</sup> Eligible Junior Hunters only, with or without the required junior license	Sept. 14		Sept. 28	6	18
<i>Squirrel</i> —(Combined species) <sup>2</sup>	Sept. 14 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Feb. 28, 2025	6	18
<i>Ruffed Grouse</i> <sup>2</sup>	Oct. 19 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16	and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24	2	6
<i>Rabbit, Cottontail</i> <sup>1</sup> Eligible Junior Hunters only, with or without the required junior license	Oct. 5		Oct. 19	4	12
<i>Rabbit, Cottontail</i> <sup>2</sup>	Oct. 19 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Feb. 28, 2025	4	12
<i>Ring-necked Pheasant</i> Central Susquehanna and Franklin County Wild Pheasant Recovery Areas <i>Male only</i> <sup>1</sup>	As authorized by the Executive Order				
<i>Ring-necked Pheasant—Male or Female</i> <sup>1</sup> Junior License Holders and Mentored Permit Holders <sup>9</sup>	Oct. 12		Oct. 19	2	6
<i>Ring-necked Pheasant—Male or Female</i> <sup>2</sup>	Oct. 26 Sun. <sup>3</sup> , Nov. 17 Nov. 18	and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23	2	6

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
	Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and	Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Feb. 28, 2025		
<i>Bobwhite Quail</i> —There is no open season for the taking of bobwhite quail in the area surrounding the Letterkenny Bobwhite Quail Focus Area, as designated in § 141.30 (relating to bobwhite quail recovery area).					
<i>Bobwhite Quail</i> <sup>2</sup>	Sept. 2 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Mar. 31, 2025	Unlimited	
<i>Snowshoe or Varying Hare</i> <sup>1</sup>	Dec. 26		Jan. 1, 2025	1	3
<i>Woodchuck (Groundhog)</i> <sup>2</sup>	July 1 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16	and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 June 30, 2025	Unlimited	
<i>Crow</i> <sup>3</sup> (Hunting permitted on Thursday, Friday, Saturday and Sunday only)	Aug. 22		Mar. 23, 2025	Unlimited	
<i>Starling and English Sparrow</i> <sup>3</sup>	No closed season, except season closed during the regular firearms deer seasons.			Unlimited	

**MIGRATORY GAME BIRDS**

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about February 28 of each year. Exceptions:

- (a) Hunting hours in § 141.4 (relating to hunting hours).
- (b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.
- (c) Hunting on Sunday not authorized.<sup>1</sup>

**WILD TURKEY**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Turkey, Fall—Male or Female</i> <sup>1</sup>				1	1

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
WMUs 1A, 2G, 3A, 4A, 4B and 4D WMUs 1B, 3D, 4C and 4E WMUs 2A, 2F, 3B and 3C	Nov. 2		Nov. 16		
	Nov. 2		Nov. 9		
	Nov. 2		Nov. 16		
		and			
	Nov. 27		Nov. 29		
WMUs 2B, 2C, 2D and 2E	Nov. 2		Nov. 22		
		and			
	Nov. 27		Nov. 29		
WMUs 5A and 5B	Nov. 2		Nov. 5		
WMUs 5C and 5D	Closed to fall turkey hunting				
<i>Turkey, Spring</i> <sup>1</sup> Bearded Bird only, Eligible Junior Hunters only, with the required junior license	Apr. 26, 2025		Apr. 26, 2025	1	1
<i>Turkey, Spring</i> <sup>1, 4</sup> Bearded Bird only				1	2
	May 3, 2025		May 17, 2025	May be hunted 1/2 hour before sunrise to 12 noon	
		and			
	May 19, 2024		May 31, 2025	May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	

FALCONRY

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
<i>Squirrel</i> —(Combined species) <sup>2</sup>	Sept. 2		Nov. 16	6	18
	Sun. <sup>3</sup> , Nov. 17	and	Sun. <sup>3</sup> , Nov. 17		
	Nov. 18	and	Nov. 23		
	Sun. <sup>3</sup> , Nov. 24	and	Sun. <sup>3</sup> , Nov. 24		
	Nov. 25	and	Nov. 30		
	Sun. <sup>3</sup> , Dec. 1	and	Sun. <sup>3</sup> , Dec. 1		
	Dec. 2	and	Mar. 31, 2025		
<i>Quail</i> <sup>2</sup>	Sept. 2		Nov. 16	Unlimited	
	Sun. <sup>3</sup> , Nov. 17	and	Sun. <sup>3</sup> , Nov. 17		
	Nov. 18	and	Nov. 23		
	Sun. <sup>3</sup> , Nov. 24	and	Sun. <sup>3</sup> , Nov. 24		
	Nov. 25	and	Nov. 30		
	Sun. <sup>3</sup> , Dec. 1	and	Sun. <sup>3</sup> , Dec. 1		
	Dec. 2	and	Mar. 31, 2025		
<i>Ruffed Grouse</i> <sup>2</sup>	Sept. 2		Nov. 16	2	6
	Sun. <sup>3</sup> , Nov. 17	and	Sun. <sup>3</sup> , Nov. 17		
	Nov. 18	and	Nov. 23		

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second day</i>
	Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and	Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Mar. 31, 2025		
<i>Cottontail Rabbits</i> <sup>2</sup>	Sept. 2 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Mar. 31, 2025	4	12
<i>Snowshoe or Varying Hare</i> <sup>2</sup>	Sept. 2 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Mar. 31, 2025	1	3
<i>Ring-necked Pheasant—Male<sup>2</sup> and Female (Combined)</i>	Sept. 2 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Mar. 31, 2025	2	6
<i>Mink, Muskrat, Fox, Opossum, Raccoon, Striped Skunk and Weasel</i> <sup>2</sup>	Sept. 2 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Mar. 31, 2025	Unlimited	
<i>Migratory Game Bird</i> <sup>1</sup> —Seasons and bag limits shall be in accordance with Federal regulations.					

WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Deer, Archery (Antlered and Antlerless)</i> <sup>2,5</sup> With the required archery license WMUs 2B, 5C and 5D	Sept. 21 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 26	and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Jan. 25, 2025	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Archery (Antlered and Antlerless)</i> <sup>2,5</sup> With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Oct. 5 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Dec. 26	and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 22 Jan. 20, 2025	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Muzzleloading (Antlerless only)</i> <sup>1</sup> With the required muzzleloading license	Oct. 19		Oct. 26	An antlerless deer with each required antlerless license.
<i>Deer, Special firearms (Antlerless only)</i> Only Junior and Senior License Holders <sup>6</sup> Mentored Permit Holders <sup>9</sup> , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or United States Coast Guard	Oct. 24		Oct. 26	An antlerless deer with each required antlerless license.
<i>Deer, Regular Firearms (Antlered and Antlerless)</i> <sup>2,5</sup> Statewide	Nov. 30 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and	Nov. 30 Sun. <sup>3</sup> , Dec. 1 Dec. 14	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> <sup>1,5</sup> With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4E, 5A and 5B	Dec. 26		Jan. 20, 2025	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> <sup>1,5</sup> With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26		Jan. 25, 2025	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<i>Deer, Extended Regular firearms (Antlerless)</i> <sup>1</sup> WMUs 2B, 5C and 5D	Dec. 26		Jan. 25, 2025	An antlerless deer with each required antlerless license.
<i>Deer, Antlerless</i> <sup>1</sup> (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.			An antlerless deer with each required antlerless license.

**BLACK BEAR**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Bear, Archery</i> <sup>2, 7</sup> WMUs 2B, 5C and 5D	Sept. 21  Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25	and and and and	Nov. 16  Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29	1
<i>Bear, Archery</i> <sup>2, 7</sup> WMU 5B	Oct. 5  Sun. <sup>3</sup> , Nov. 17 Nov. 18	and and	Nov. 16  Sun. <sup>3</sup> , Nov. 17 Nov. 22	1
<i>Bear, Archery</i> <sup>1, 7</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 19		Nov. 9	1
<i>Bear, Muzzleloader</i> <sup>1, 7</sup> (Statewide )	Oct. 24		Oct. 26	1
<i>Bear, Special firearms</i> <sup>7</sup> Only Junior and Senior License Holders <sup>6</sup> , Mentored Permit Holders <sup>9</sup> , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces, or in the United States Coast Guard (Statewide)	Oct. 24		Oct. 26	1
<i>Bear, Regular Firearms</i> <sup>2, 7</sup> (Statewide)	Nov. 23  Sun. <sup>3</sup> , Nov. 24 Nov. 25	and and	Nov. 23  Sun. <sup>3</sup> , Nov. 24 Nov. 26	1
<i>Bear, Extended firearms</i> <sup>2, 7</sup> WMUs 2B, 5B, 5C and 5D	Nov. 30  Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and	Nov. 30  Sun. <sup>3</sup> , Dec. 1 Dec. 14	1
<i>Bear, Extended firearms</i> <sup>2, 7</sup> WMUs 3A, 3B, 3C, 3D, 4C, 4E and 5A	Nov. 30  Sun. <sup>3</sup> , Dec. 1 Dec. 2	and	Nov. 30  Sun. <sup>3</sup> , Dec. 1 Dec. 7	1 .

**ELK**

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Elk, Special Conservation Tag</i> <sup>1, 8</sup> and <i>Special-License Tag</i> <sup>1, 8</sup> (Antlered and Antlerless)	Sept. 2		Nov. 9	1
<i>Elk, Archery</i> <sup>1, 8</sup> (Antlered and Antlerless)	Sept. 14		Sept. 28	1

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Elk, Regular</i> <sup>1, 8</sup> ( <i>Antlered and Antlerless</i> )	Nov. 4		Nov. 9	1
<i>Elk, Late</i> <sup>1, 8</sup> ( <i>Antlered and Antlerless</i> )	Dec. 28		Jan. 4, 2025	1

FURTAKING—TRAPPING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Mink and Muskrat</i>	Nov. 23		Jan. 12, 2025	Unlimited	
<i>Beaver</i>	Dec. 21		Mar. 31, 2025		
WMUs 1A and 1B (Combined)				20	60
WMUs 2A, 2B and 3C (Combined)				20	40
WMUs 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)				20	20
WMUs 2G, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)				5	5

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Season Limit</i>
<i>Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel</i>	Oct. 26		Feb. 23, 2025	Unlimited
<i>Coyote and Fox</i> Use of cable restraint devices authorized with required certification	Dec. 26		Feb. 23, 2025	Unlimited
<i>Bobcat, with required bobcat permit</i> WMUs 2A, 2B, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 21		Jan. 12, 2025	1
<i>Fisher, with required fisher permit</i> WMUs 1B, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 21		Jan. 12, 2025	1
<i>River Otter, with required otter permit</i> WMUs 1A, 1B, 2F, 3B, 3C, 3D and 4E	Feb. 15, 2025		Feb. 22, 2025	1

FURTAKING—HUNTING

<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Coyote—(Outside of any big game season)</i> <sup>3</sup>	May be taken with a hunting license or a furtaker’s license.			Unlimited	
<i>Coyote—(During any big game season)</i>	May be taken while lawfully hunting big game or with a furtaker’s license.			Unlimited	
<i>Opossum, Striped Skunk, Weasel</i> <sup>2</sup>	July 1 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 June 30, 2025	Unlimited May be hunted any hour, day or night, on open dates from July 1—Nov. 29 and Dec. 15—June 30, 2025. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 30—Dec. 14.	



<i>Species</i>	<i>First Day</i>		<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<i>Fox</i> <sup>3</sup>	Oct. 26		Feb. 22, 2025	Unlimited May be hunted any hour, day or night, from Oct. 26—Nov. 29 and Dec. 15—Feb. 22, 2025. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 30—Dec. 14.	
<i>Raccoon</i> <sup>2</sup>	Oct. 26 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Sun. <sup>3</sup> , Dec. 1 Dec. 2	and and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 30 Sun. <sup>3</sup> , Dec. 1 Feb. 22, 2025	Unlimited May be hunted any hour, day or night, on open dates from Oct. 26—Nov. 29 and Dec. 15—Feb. 22, 2025. May only be hunted from 1/2 hour after sunset to 1/2 hour before sunrise from Nov. 30—Dec. 14.	
<i>Bobcat, with required bobcat permit</i> <sup>1</sup> WMUs 2A, 2B, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Jan. 11, 2025		Feb. 5, 2025	1	1
<i>Porcupine</i> <sup>2</sup>	Oct. 12 Sun. <sup>3</sup> , Nov. 17 Nov. 18 Sun. <sup>3</sup> , Nov. 24 Nov. 25 Dec. 16 Dec. 26	and and and and and and and	Nov. 16 Sun. <sup>3</sup> , Nov. 17 Nov. 23 Sun. <sup>3</sup> , Nov. 24 Nov. 29 Dec. 24 Feb. 1, 2025	3	10

No open seasons on other wild birds or wild mammals.

<sup>1</sup> No hunting on Sunday authorized. See 34 Pa.C.S. § 2303 (relating to hunting on Sunday prohibited).

<sup>2</sup> Hunting on Sunday authorized on separately delineated Sunday dates only. See 34 Pa.C.S. § 2303.

<sup>3</sup> Hunting on Sunday is authorized. See 34 Pa.C.S. § 2303.

<sup>4</sup> Only persons who possess a special wild turkey license as provided for in 34 Pa.C.S. § 2709 (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of 2 spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

<sup>5</sup> Only one antlered deer (buck) may be taken during the hunting license year.

<sup>6</sup> Includes resident and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under 34 Pa.C.S. § 2706 (relating to resident license and fee exemptions).

<sup>7</sup> Only one bear may be taken during the hunting license year with the required bear license.

<sup>8</sup> Only one elk may be taken during the hunting license year with the required elk license.

<sup>9</sup> Includes mentored youth and mentored adults with a valid mentored hunter permit issued under Chapter 147, Subchapter X (relating to Mentored Hunting Program permit).

**GAME COMMISSION**

[ 58 PA. CODE CH. 141 ]

**Hunting and Trapping; General**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 27, 2024, meeting to amend § 141.4, Appendix G (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2024-2025 hunting/trapping license year.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 27, 2024, meeting of the Commission. Comments may be sent until April 3, 2024, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

**1. Purpose and Authority**

The Commission is proposing to amend § 141.4, Appendix G, by replacing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2024-2025 hunting/trapping license year.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.4, Appendix G, are proposed under this authority.

**2. Regulatory Requirements**

This proposed rulemaking will amend § 141.4, Appendix G, to replace the current hunting hours table and

migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2024-2025 hunting/trapping license year.

**3. Persons Affected**

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2024-2025 hunting/ furtaking license year will be affected by this proposed rulemaking.

**4. Cost and Paperwork Requirements**

This proposed rulemaking should not result in any additional cost or paperwork.

**5. Effective Date**

The effective dates of this proposed rulemaking are July 1, 2024, to June 30, 2025.

**6. Contact Person**

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** 48-507. No fiscal impact; recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 141. HUNTING AND TRAPPING**

**Subchapter A. GENERAL**

*(Editor’s Note:* As part of this proposed rulemaking, the Commission is proposing to replace the table which appears in 58 Pa. Code Chapter 141, Appendix G, pages 141-37—141-41, serial pages (414541)—(414545), with the following table.)

**§ 141.4. Hunting hours.**

Except as otherwise provided, wild birds and mammals may be hunted 1/2 hour before sunrise to 1/2 hour after sunset.

\* \* \* \* \*

**Appendix G. HUNTING HOURS**

\* \* \* \* \*

<b>HUNTING HOURS TABLE FOR JULY 1, 2024, THROUGH JUNE 30, 2025</b>					
<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>	<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 1—6	5:06	9:02	Jan. 5—11	6:52	5:20
July 7—13	5:13	8:59	Jan. 12—18	6:51	5:27
July 14—20	5:19	8:54	Jan. 19—25	6:48	5:34
July 21—27	5:25	8:48	Jan. 26—Feb. 1	6:43	5:43
July 28—Aug. 3	5:31	8:41	Feb. 2—8	6:37	5:51
Aug. 4—10	5:38	8:33	Feb. 9—15	6:30	5:59
Aug. 11—17	5:44	8:23	Feb. 16—22	6:21	6:08
Aug. 18—24	5:51	8:13	Feb. 23—Mar. 1	6:12	6:16
Aug. 25—31	5:58	8:02	Mar. 2—8	6:01	6:23

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>	<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Sept. 1—7	6:04	7:51	Mar. 9—15 *Begins	6:51	7:31
Sept. 8—14	6:11	7:40	Mar. 16—22	6:40	7:38
Sept. 15—21	6:17	7:28	Mar. 23—29	6:28	7:46
Sept. 22—28	6:24	7:16	Mar. 30—Apr. 5	6:17	7:53
Sept. 29—Oct. 5	6:31	7:05	Apr. 6—12	6:06	8:00
Oct. 6—12	6:38	6:54	Apr. 13—19	5:55	8:07
Oct. 13—19	6:45	6:44	Apr. 20—26	5:45	8:14
Oct. 20—26	6:53	6:34	Apr. 27—May 3	5:35	8:21
Oct. 27—Nov. 2	7:01	6:26	May 4—10	5:26	8:28
Nov. 3—9 **Ends	6:09	5:19	May 11—17	5:19	8:35
Nov. 10—16	6:17	5:13	May 18—24	5:12	8:42
Nov. 17—23	6:25	5:08	May 25—31	5:07	8:48
Nov. 24—30	6:32	5:06	June 1—7	5:03	8:53
Dec. 1—7	6:39	5:05	June 8—14	5:01	8:57
Dec. 8—14	6:44	5:06	June 15—21	5:01	9:01
Dec. 15—21	6:49	5:09	June 22—28	5:02	9:03
Dec. 22—28	6:51	5:13	June 29—30	5:04	9:03
Dec. 29—Jan. 4	6:52	5:19			

Daylight Saving Time:  
 Begins\*  
 Ends\*\*

<b>MIGRATORY GAME BIRD HUNTING HOURS TABLE FOR JULY 1, 2024, THROUGH JUNE 30, 2025</b>					
<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>	<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
July 1—6	5:06	8:32	Jan. 5—11	6:52	4:50
July 7—13	5:13	8:29	Jan. 12—18	6:51	4:47
July 14—20	5:19	8:24	Jan. 19—25	6:48	5:04
July 21—27	5:25	8:18	Jan. 26—Feb. 1	6:43	5:13
July 28—Aug. 3	5:31	8:11	Feb. 2—8	6:37	5:21
Aug. 4—10	5:38	8:03	Feb. 9—15	6:30	5:29
Aug. 11—17	5:44	7:53	Feb. 16—22	6:21	5:38
Aug. 18—24	5:51	7:43	Feb. 23—Mar. 1	6:12	5:46
Aug. 25—31	5:58	7:32	Mar. 2—8	6:01	5:53
Sept. 1—7	6:04	7:21	Mar. 9—15 *Begins	6:51	7:01
Sept. 8—14	6:11	7:10	Mar. 16—22	6:40	7:08
Sept. 15—21	6:17	6:58	Mar. 23—29	6:28	7:16
Sept. 22—28	6:24	6:46	Mar. 30—Apr. 5	6:17	7:37
Sept. 29—Oct. 5	6:31	6:35	Apr. 6—12	6:06	7:30
Oct. 6—12	6:38	6:24	Apr. 13—19	5:55	7:37
Oct. 13—19	6:45	6:14	Apr. 20—26	5:45	7:44
Oct. 20—26	6:53	6:04	Apr. 27—May 3	5:35	7:51
Oct. 27—Nov. 2	7:01	5:56	May 4—10	5:26	7:58
Nov. 3—9 **Ends	6:09	4:49	May 11—17	5:19	8:05
Nov. 10—16	6:17	4:43	May 18—24	5:12	8:12
Nov. 17—23	6:25	4:38	May 25—31	5:07	8:18
Nov. 24—30	6:32	4:36	June 1—7	5:03	8:23
Dec. 1—7	6:39	4:35	June 8—14	5:01	8:27
Dec. 8—14	6:44	4:36	June 15—21	5:01	8:37

Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
Dec. 15—21	6:49	4:39	June 22—28	5:02	8:33
Dec. 22—28	6:51	4:43	June 29—30	5:04	8:33
Dec. 29—Jan. 4	6:52	4:49			

Daylight Saving Time:  
 Begins\*  
 Ends\*\*

[Pa.B. Doc. No. 24-341. Filed for public inspection March 15, 2024, 9:00 a.m.]

## GAME COMMISSION

### [ 58 PA. CODE CH. 141 ]

#### Hunting and Trapping; Small Game

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 27, 2024, meeting to amend § 141.28 (relating to wild pheasant recovery areas) to eliminate age restriction and permit requirements and provide the Director the authority to annually designate wild pheasant recovery areas (WPRAs) to be opened to hunting and establish appropriate season dates and bag limits.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 27, 2024, meeting of the Commission. Comments may be sent until April 3, 2024, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

Pheasant hunting within a WPRAs is currently limited to youth participants who are authorized by permit to hunt in designated pheasant hunt zones within the Central Susquehanna WPRAs only. Youth participants are selected for WPRAs hunting access permits through a raffle conducted by the Commission. The Commission has determined that these restrictions are no longer necessary because the biological impacts of hunting on wild pheasant populations can be adequately controlled by limiting harvest to male pheasants and by following an annual executive order process specifying whether a season is to be opened and, if opened, the season length and bag limit that will apply. Therefore, the Commission is proposing to amend § 141.28 to eliminate age restriction and permit requirements and provide the Director the authority to annually designate WPRAs to be opened to hunting and establish appropriate season dates and bag limits. As a result of this regulatory change, all individuals eligible to hunt pheasants Statewide would also be allowed to participate in pheasant hunting within WPRAs, subject to landowner permission.

Section 322(c)(4) of the code (relating to powers and duties of commission) specifically authorizes the Commission to “[d]efine geographic limitations or restrictions.” Section 2102(c) of the code (relating to regulations) directs that “[t]he commission shall promulgate regulations concerning the transportation, introduction into the wild, importation, exportation, sale, offering for sale or purchase of game or wildlife or the disturbing of game or wildlife in their natural habitat.” Section 2102(a) of the

code provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.28 are proposed under this authority.

#### 2. Regulatory Requirements

This proposed rulemaking will amend § 141.28 to eliminate age restriction and permit requirements and provide the Director the authority to annually designate WPRAs to be opened to hunting and establish appropriate season dates and bag limits. As a result of this regulatory change, all individuals eligible to hunt pheasants Statewide would also be allowed to participate in pheasant hunting within WPRAs, subject to landowner permission.

#### 3. Persons Affected

Persons concerned with hunting pheasants in any area designated as a WPRAs within this Commonwealth will be affected by this proposed rulemaking.

#### 4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

#### 5. Effective Date

This proposed rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. Contact Person

For further information about this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** 48-505. No fiscal impact; recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 141. HUNTING AND TRAPPING

#### Subchapter B. SMALL GAME

#### § 141.28. Wild pheasant recovery areas.

\* \* \* \* \*

(b) *Prohibitions.* It is unlawful to:

(1) Release artificially propagated pheasants any time within any area designated as a WPRAs.

(2) Hunt pheasants within any area designated as a WPRA, except the Director may authorize limited [ youth ] pheasant hunting opportunities [ by Commission-issued access permit in the Central Susquehanna WPRA ] in one or more WPRA's. During any year [ youth ] pheasant hunting opportunities are authorized in [ the Central Susquehanna WPRA ] one or more WPRA's, the Director will [ establish the number of hunting access permits to be issued, a manner of distribution for a limited number of access permits to be raffled off by an organization promoting pheasant recovery efforts within this Commonwealth, and designate one or more pheasant hunt zones within the WPRA prior to the opening of the earliest established youth pheasant season. The Director or a designee will establish the application deadline and the date, time and location for the random drawing of applications for the issuance of any remaining limited youth pheasant hunting access permits within the Central Susquehanna WPRA. Limited youth pheasant hunting access permits are not transferrable. A pheasant hunting access permit shall be signed and carried on person when hunting or taking pheasants within the Central Susquehanna WPRA. ] designate the WPRA's where the season will be established, the dates of the season and the daily bag limit.

[Pa.B. Doc. No. 24-342. Filed for public inspection March 15, 2024, 9:00 a.m.]

## MILK BOARD

### Amendment to 7 Pa. Code Chapter 150; Milk Marketing Fees; Notice of Hearing

The Milk Board (Board) will conduct a public hearing on April 3, 2024, beginning at 1:15 p.m. by means of teleconference at (267) 332-8737. The conference ID is 132 214 170.

The purpose of the hearing is to receive testimony and comments regarding proposed amendments to 7 Pa. Code Chapter 150 (relating to milk marketing fees).

Interested persons who wish to offer testimony or comments shall provide to the Board notification of their desire to participate. Notices do not need to be formal and may be filed electronically to [deberly@pa.gov](mailto:deberly@pa.gov) or by filing at the Board office at Milk Board, Room 108, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110 by 2 p.m. on March 29, 2024.

A draft of the proposed amendments is available on the Board's web site at <https://www.pmb.pa.gov/Public%20Hearings/Pages/Other-Public-Hearings.aspx>.

BETSY ALBRIGHT,  
*Secretary*

[Pa.B. Doc. No. 24-343. Filed for public inspection March 15, 2024, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of Agriculture

The Executive Board approved a reorganization of the Department of Agriculture effective February 28, 2024.

The organization chart at 54 Pa.B. 1335 (March 16, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor’s Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 24-344. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of State

The Executive Board approved a reorganization of the Department of State effective February 28, 2024.

The organization chart at 54 Pa.B. 1337 (March 16, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor’s Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 24-346. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of Community and Economic Development

The Executive Board approved a reorganization of the Department of Community and Economic Development effective February 28, 2024.

The organization chart at 54 Pa.B. 1336 (March 16, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor’s Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 24-345. Filed for public inspection March 15, 2024, 9:00 a.m.]

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Office of Administration

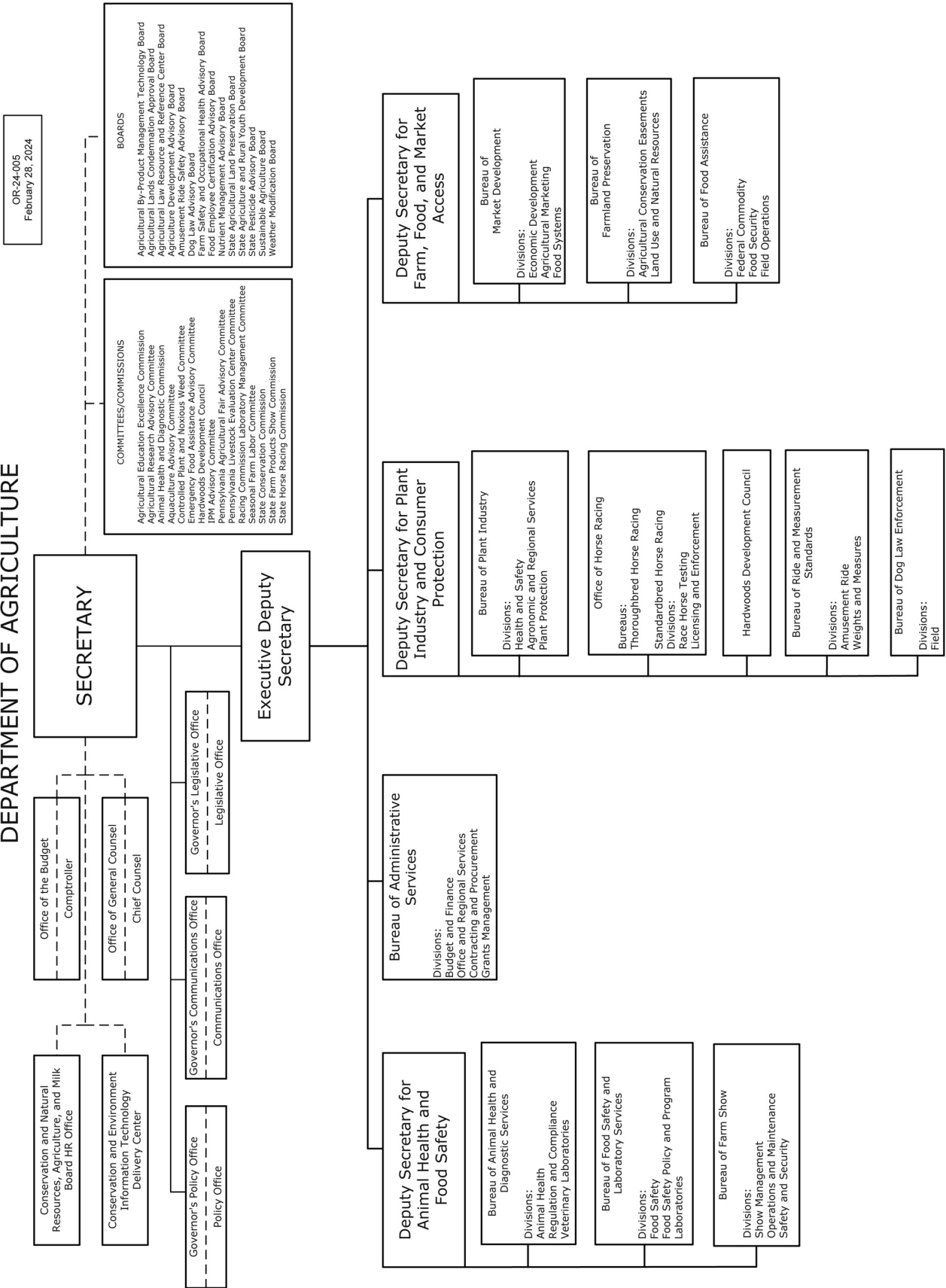
The Executive Board approved a reorganization of the Office of Administration effective February 28, 2024.

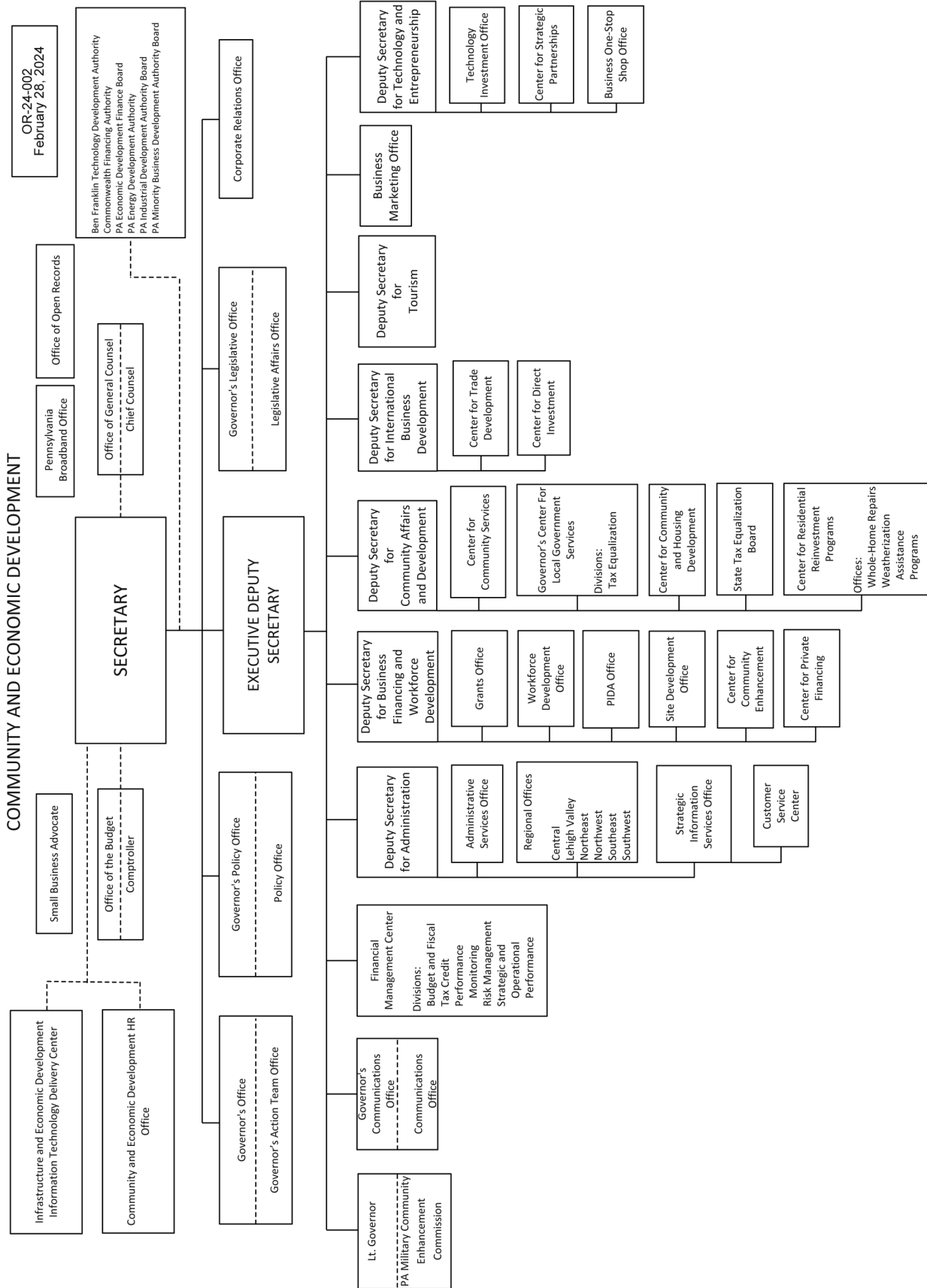
The organization chart at 54 Pa.B. 1338 (March 16, 2024) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor’s Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 24-347. Filed for public inspection March 15, 2024, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE







OR-24-003  
February 28, 2024

DEPARTMENT OF STATE

SECRETARY OF THE COMMONWEALTH

- Office of General Counsel
- Office of Chief Counsel Hearing Examiners
- Office of the Budget Comptroller
- Employment, Banking and Revenue Information Technology Delivery Center
- State HR Office

- Governor's Policy Office Office of Policy
- Governor's Communications Office Office of Communications and Press
- Governor's Legislative Office Office of Legislative Affairs

Executive Deputy Secretary

Deputy Secretary for Elections and Commissions

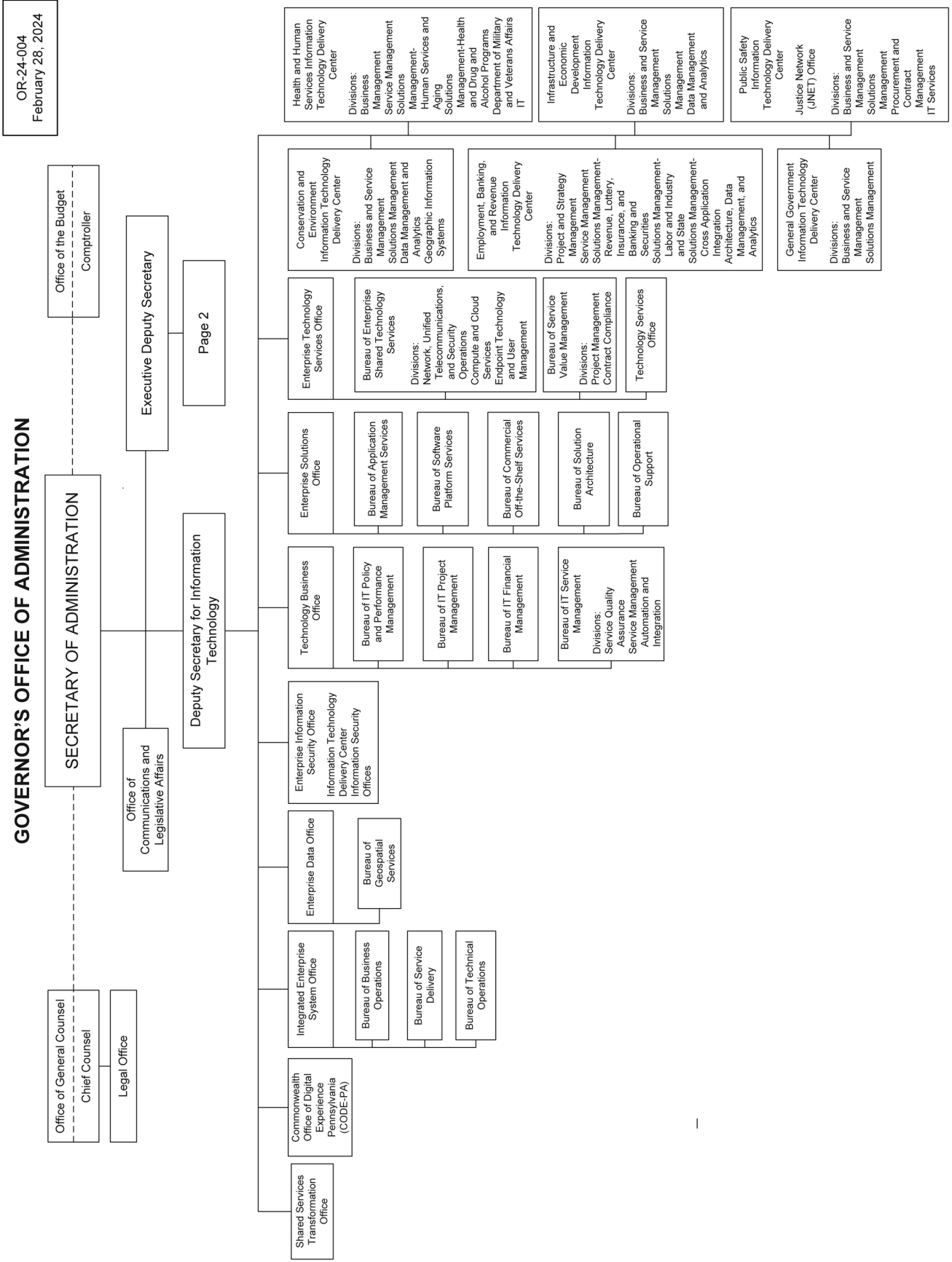
- Bureau of Election Security and Technology**  
Divisions:  
Statewide Uniform Registry of Electors (SURE)  
Voting Technology and Security
- Bureau of Elections and Notaries**  
Divisions:  
Notaries and Certifications  
Elections and Voter Registration
- Bureau of Campaign Finance and Civic Engagement**  
Divisions:  
Campaign Finance and Lobbying  
Disclosure

Deputy Secretary for Regulatory Programs

- Bureau of Finance and Procurement**  
Divisions:  
Fiscal Management  
Procurement
- Bureau of Enforcement and Investigation**  
Regional Offices:  
Harrisburg  
Philadelphia  
Pittsburgh  
Scranton
- Bureau of Professional and Occupational Affairs**  
Divisions:  
Board Support\*  
Licensing, Operations, Services, and Support\*
- Bureau of Corporations and Charitable Organizations**  
Divisions:  
Corporate Filings, UCC, and Certifications  
Operations and Support  
Advisory Committee
- Pennsylvania State Athletic Commission**  
Regional Offices:  
Philadelphia  
Pittsburgh  
Scranton  
Medical Advisory Board

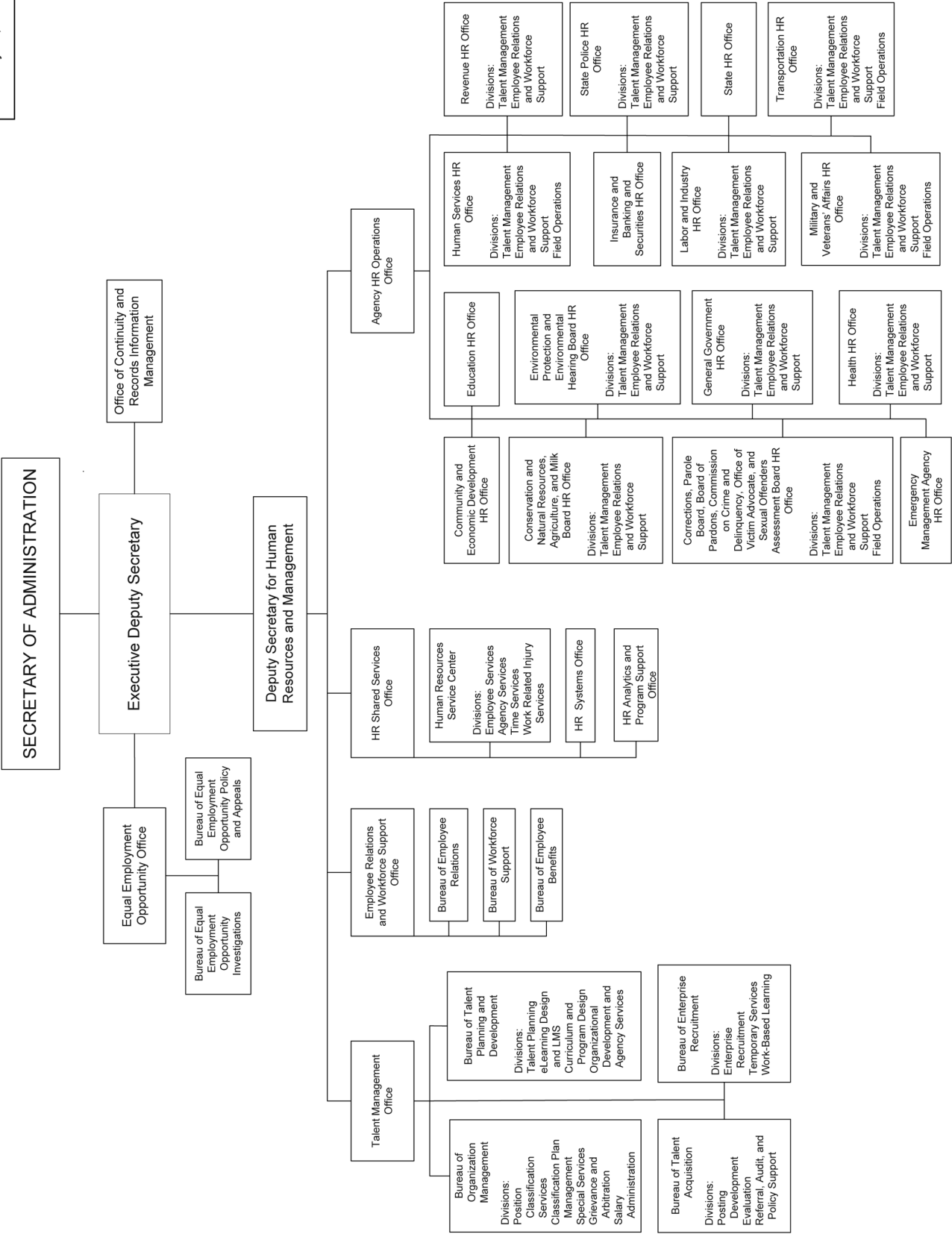
\*Divisions of Board Support and Licensing Operations, Services and Support provide direct administrative support to the following Professional Licensing Boards and Commissions.

State Board of Accountancy	State Board of Massage Therapy	State Registration Board for Professional Engineers, Land Surveyors and Geologists
State Board of Architects	Navigation Commission for the Delaware River and its Navigable Tributaries	State Board of Psychology
State Board of Barbers	State Board of Nursing	State Board of Real Estate
State Board of Crane Operators	State Board of Examiners of Nursing Home Administrators	State Board of Social Workers, Marriage and Family Therapists, and Professional Counselors
State Board of Chiropractic	State Board of Occupational Therapy, Education and Licensure	State Board of Examiners in Speech-Language and Hearing
State Board of Cosmetology	State Board of Optometry	State Board of Veterinary Medicine
State Board of Dentistry	State Board of Osteopathic Medicine	State Board of Certified Real Estate Appraisers
State Board of Funeral Directors	State Board of Pharmacy	
State Board of Landscape Architects	State Board of Physical Therapy	
State Board of Medicine	State Board of Podiatry	
State Board of Veterinary Medicine		
State Board of Certified Real Estate Appraisers		



**GOVERNOR'S OFFICE OF ADMINISTRATION**

OR-24-004  
February 28, 2024



## Title 4—ADMINISTRATION

### DEPARTMENT OF GENERAL SERVICES

#### [ 4 PA. CODE CHS. 58 AND 68 ]

#### Small Business, Small Diverse Business and Veteran Business Enterprise Programs—Statement of Policy

The Department of General Services amends Chapters 58 and 68 (relating to contract compliance) to read as set forth in Annex A. This statement of policy deletes Chapter 58, Subchapter D and adds Subchapter E (relating to small business, small diverse business and veteran business enterprise programs—statement of policy) and amends Chapter 68 by deleting § 68.102.

This statement of policy is issued pursuant to Executive Order 2023-18, which was published at 53 Pa.B. 6034 (September 30, 2023) and codified in 4 Pa. Code §§ 1.921—1.927 (relating to improving State government contracting opportunities for Commonwealth small businesses and small and diverse businesses), and 62 Pa.C.S. §§ 301(a) and 311 (relating to procurement responsibility; and powers and duties).

#### *Background and Purpose*

As background, Governor Josh Shapiro, through Executive Order 2023-18, 4 Pa. Code §§ 1.921—1.927, improving State government contracting opportunities for Pennsylvania's small businesses and small diverse businesses, recognized that the majority of economic growth stems from the growth of small businesses (SB) and that the Commonwealth's economic development strategy must involve solutions that specifically address the needs of SBs, which include small diverse businesses (SDB) and veteran-owned businesses. As a result of the first-ever disparity study in 2017 showing a disparity between the availability of SDBs and veteran business enterprises (VBE) and the use of those SDBs and VBEs in Commonwealth procurement contracts, a goal-setting program was implemented to ensure the proper utilization of SDBs and VBEs in Commonwealth contracting.

The purpose of this statement of policy is to prevent discrimination against and ensure the proper utilization of self-certified SBs and verified SDBs and VBEs in State contracting, establish guidelines for the goal-setting system and establish guidelines for the Small Business Reserve (SBR) Program. This statement of policy requires the goal-setting program to set narrowly tailored, contract-specific goals for Commonwealth procurements. The SBR Program is a race-neutral and gender-neutral measure that is used to set aside procurements for award only to SBs whenever applicable and appropriate.

This statement of policy also recognizes that small business contractors should be paid on time and consistently. As a result, the Department has developed a 10-day prompt pay policy for nonconstruction contracts for goods and services that require contractors to pay small business subcontractors within 10 days of completed, acceptable deliverables and after receipt of payment from the Commonwealth.

#### *Fiscal Impact and Paperwork Requirements*

This statement of policy does not have a fiscal impact and imposes no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

#### *Contact*

Specific questions relating to information provided in this statement of policy may be directed to the Director, Bureau of Diversity, Inclusion and Small Business Opportunities, Department of General Services, North Office Building, 401 North Street, Room 611, Harrisburg, PA 17120.

#### *Effective Date*

This statement of policy is effective immediately upon publication in the *Pennsylvania Bulletin*.

REGINALD B. McNEIL, II,  
*Secretary*

(*Editor's Note:* Title 4 of the *Pennsylvania Code* is amended by deleting the statements of policy in §§ 58.301—58.308 and 68.102 and adding the statement of policy in Chapter 58, Subchapter E, §§ 58.401—58.419.)

**Fiscal Note:** 8-01. No fiscal impact; recommends adoption.

#### Annex A

#### TITLE 4. ADMINISTRATION

#### PART III. DEPARTMENT OF GENERAL SERVICES

#### Subpart C. CONSTRUCTION AND PROCUREMENT

#### ARTICLE I. GENERAL

#### CHAPTER 58. CONTRACT COMPLIANCE

#### Subchapter D. [Reserved]

Sec.  
58.301—58.308. [Reserved].

#### Subchapter E. SMALL BUSINESS, SMALL DIVERSE BUSINESS AND VETERAN BUSINESS ENTERPRISE PROGRAMS—STATEMENT OF POLICY

Sec. 58.401.	Policy.
58.402.	Definitions.
58.403.	Self-certification of eligible small businesses.
58.404.	Verification of eligible small diverse businesses or veteran business enterprises.
58.405.	Voluntary withdrawal of small business self-certification or small diverse business or veteran business enterprise verification.
58.406.	Denial or decertification of small business, small diverse business or veteran business enterprise status.
58.407.	Review of denial or decertification of small business, small diverse business or veteran business enterprise status.
58.408.	Hearing.
58.409.	Agency liaison.
58.410.	Database of self-certified small businesses and verified small diverse businesses and veteran business enterprises.
58.411.	Small business reserve program.
58.412.	Small diverse business program.
58.413.	Construction and design professional services program.
58.414.	Veteran business enterprise program.
58.415.	Good faith efforts waiver.
58.416.	Amendment of commitments post-award.
58.417.	Compliance with SDB and VBE commitments.
58.418.	Ten-day prompt pay policy.
58.419.	Program review and expiration.

#### § 58.401. Policy.

This subchapter establishes the criteria and processes for self-certification of small businesses and verification of small diverse business and veteran business enterprise status as well as the small business reserve, small diverse business and veteran business enterprise programs. The Commonwealth is committed to promoting the economic growth and success of small businesses. The underlying purpose of this subchapter is to increase small business participation in Commonwealth contracts.

**§ 58.402. Definitions.**

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

*Agency liaison*—An agency employee reporting directly to a Secretary, Deputy Secretary, agency head or equivalent responsible for assisting the Department on issues related to the SB programs.

*Aspirational target*—An annual target set by the Secretary for SB, SDB and VBE participation in Commonwealth contracting opportunities which shall be posted on the Department's web site.

*BDISBO*—The Department of General Services' Bureau of Diversity, Inclusion and Small Business Opportunities.

*Bid or proposal*—The documents and information submitted in response to a solicitation, including but not limited to a bid, proposal, quote or application.

*Bidder, offeror or applicant*—The person submitting documents and information in response to a solicitation, including but not limited to a bidder, offeror or applicant.

*Commercially useful function*—The performance of a distinct element of work required for the contract, with the requisite skill and expertise.

*Contract-specific goal*—A goal established by the Department in collaboration with the purchasing agency for use of SDBs or VBEs on a specific procurement.

*Contractor*—A person that has entered into a contract with a Commonwealth agency. This term includes but is not limited to a design professional.

*DOBE—disability-owned business enterprise*—An SB which is at least 51% owned and controlled by one or more persons with disabilities. In the case of a corporation, at least 51% of the stock shall be owned by one or more persons with disabilities.

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

*Disability*—Physical or mental impairment, or both, that substantially limits one or more major life activity and can be demonstrated by appropriate documentation from a licensed vocational rehabilitation specialist, an agency that issues disability benefits or a licensed medical professional.

*Disparity study*—A study completed by a third-party vendor to determine whether there is a disparity between the availability of SDBs and VBEs and the Commonwealth's utilization of SDBs and VBEs.

*Good faith efforts waiver request*—Documentation submitted by a bidder or offeror requesting a full or partial waiver of the SDB or VBE contract-specific goals demonstrating the good faith efforts taken by the bidder or offeror to achieve the contract-specific goals.

*LGBTQBE—LGBTQ business enterprise*—An SB which is at least 51% owned and controlled by one or more lesbian, gay, bisexual, transgender or queer (LGBTQ) persons. In the case of a corporation, at least 51% of the stock must be owned by one or more LGBTQ person.

*Letter of Commitment*—A document signed by both a bidder or offeror and SDB or VBE subcontractor, supplier or manufacturer acknowledging an understanding that the bidder or offeror, if awarded the contract, will utilize the SDB or VBE in the percentage and for the work set forth within the document. Unless otherwise specified

within the solicitation, a Letter of Commitment must identify, at a minimum, all of the following:

(i) The fixed numerical percentage of the commitment made to the SDB or VBE subcontractor, manufacturer or supplier based upon the Commonwealth spend or the total dollar value of the contract revenue received by the prime; or if specified by the solicitation, the total dollar value of the commitment made to the SDB or VBE subcontractor, manufacturer or supplier.

(ii) A description of the services or supplies the SDB or VBE will provide that are consistent with services or supplies the SDB or VBE is certified to provide.

(iii) The time frame during the original contract duration or the initial contract term and any extensions, options and renewals the SDB or VBE will perform or provide the services or supplies.

(iv) The name and telephone number of the bidder or offeror's point of contact for the SDB or VBE participation.

(v) The name and telephone number of the primary contact person for the SDB or VBE.

*MBE—minority business enterprise*—An SB which is at least 51% owned and controlled by one or more minorities. In the case of a corporation, at least 51% of the stock must be owned by one or more minorities.

*Manufacturer*—A firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles or equipment required under the contract and of the general character described by the specifications.

*Nonstocking supplier*—A firm that does not carry inventory but orders materials from a manufacturer, manufacturer's representative or a stocking supplier. For a nonstocking supplier to receive credit, the nonstocking supplier shall perform a useful business function by engaging in meaningful work (that is, negotiating price, determining quality and quantity, ordering materials and paying for the materials). Industry practices and other relevant factors will be considered.

*Participation submittal*—A submittal that must be submitted by bidders or offerors for procurements with a contract-specific goal indicating whether the bidder or offeror intends to meet the contract-specific goal or is requesting a good faith efforts waiver, in whole or in part, of the contract-specific goal. A procurement may require an SDB participation submittal or a VBE participation submittal, or both.

*Permanent caregiver*—The spouse, or an individual who is at least 18 years of age, who is legally designated, in writing, to undertake responsibility for managing the well-being of the service-disabled veteran with permanent and severe disability.

*Race-neutral and gender-neutral measures*—Methodologies that are or can be used to assist all businesses, notwithstanding the social, economic, racial or gender composition of those who own or control the business. Race-neutral and gender-neutral measures include but are not limited to the following:

(i) Outreach efforts to advise SBs of contracting opportunities within the Commonwealth in accordance with subdivisions (ii)—(iv) of the definition of race-neutral and gender-neutral measures.

(ii) Agencies periodically conducting meetings with SBs, as appropriate, to advise of upcoming agency pro-

curement opportunities, which shall be coordinated with BDISBO and other agencies that make similar procurements.

(iii) BDISBO periodically convening seminars that include SBs and appropriate personnel of the various agencies, which shall include topics of interest to prospective or current SBs such as Commonwealth procurement procedures, SB self-certification and SDB and VBE verification, anticipated Commonwealth procurements and technical assistance to SBs relating to the procurement process.

(iv) Technical assistance and business development programs available to SBs.

(v) Contract-specific goals for use of VBEs.

(vi) SBR procurements, which shall be made in accordance with § 58.411 (relating to small business reserve program) and do not require contract-specific goals.

(vii) An evaluation of each potential contract to determine and, if practicable, abate any impediments to full and open competition with an emphasis on removing impediments that affect SDBs.

**SB—small business**—A for-profit business in the United States which is independently owned, is not dominant in its field of operation, employs no more than the maximum number of employees established by the definition of small business in 62 Pa.C.S. § 2102 (relating to definitions) and earns less than the revenue limit posted on [www.dgs.pa.gov](http://www.dgs.pa.gov). The Secretary shall utilize the United States Small Business Administration's methodology to inform the Commonwealth's definition of a small business as it relates to the highest revenue limit, as established in § 1.922(b) (relating to responsibilities). The Department reserves the right to alter the revenue thresholds which can be viewed at [www.dgs.pa.gov](http://www.dgs.pa.gov).

**SBR—small business reserve**—A race-neutral and gender-neutral measure program that enables SBs to compete among other SBs for designated or reserved government contract opportunities as prime contractors.

**SDB—small diverse business**—This designation includes MBEs, WBEs, DOBEs, LGBTQBEs, SDVBEs and other disadvantaged businesses that have been so certified by one of the Department's approved third-party certifying entities.

**SDB program—small diverse business program**—The Commonwealth's Small Diverse Business Program that enables small diverse businesses to participate in Commonwealth procurement opportunities.

**SDVBE—service-disabled veteran business enterprise or total service-disabled veteran-owned**—An SB which is at least 51% owned and controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of a veteran.

**Secretary**—The Secretary of the Department.

**Stocking supplier**—A firm that owns, operates or maintains a store, warehouse or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock and regularly sold or leased to the public in the usual course of business.

**Utilization schedule**—A document, submitted by a bidder or offeror as part of a bid or proposal, in which a bidder or offeror commits to a level of SDB or VBE participation for a contract, identifies the associated

responsibilities and scope of work, and identifies the dollar value or percentages, or both, of the work to be performed.

**VBE—veteran business enterprise**—This designation includes veteran-owned small business enterprises and service-disabled veteran-owned small business enterprises.

**VBE program**—The Commonwealth's veteran business enterprise program.

**Veteran-owned small business enterprise**—An SB which is at least 51% owned and controlled by one or more veterans. In the case of a corporation, at least 51% of the stock must be owned by one or more veterans.

**Veteran**—One of the following:

(i) An individual who served in the United States Armed Forces, including a reserve component or the National Guard, and who was discharged or released from service under conditions other than dishonorable.

(ii) A reservist or member of the National Guard who completed an initial term of enlistment or qualifying period of service.

(iii) A reservist or member of the National Guard who was disabled in the line of duty during training.

**WBE—woman-owned business enterprise**—An SB which is at least 51% owned and controlled by one or more women. In the case of a corporation, at least 51% of the stock must be owned by one or more women.

#### § 58.403. Self-certification of eligible small businesses.

(a) **Online self-certification for SBs.** To participate in the SBR and the SDB or VBE programs, SBs shall self-certify through an online application process outlined at [www.dgs.pa.gov](http://www.dgs.pa.gov). The SB self-certification enables eligible SBs to compete for prime contracting opportunities with the Commonwealth against other eligible SBs. Upon successful completion of the self-certification process, the SB will be issued a certificate. The self-certification will remain in effect for 2 years. The SB shall recertify every 2 years to maintain its status as a self-certified SB.

(b) **Eligibility requirements.** An SB shall meet the following requirements to self-certify as an SB with the Department:

(1) The business must be a for-profit United States business that is independently owned. Factors that determine independent ownership include the date the business was established, together with its relationship with other firms in terms of operational and managerial control, personnel, facilities, equipment, financial support, exclusive dealings and the extent to which resources are shared with other firms. A business that is a subsidiary of another business or is owned principally by another business entity or by a trust (including an employee stock ownership plan (ESOP)) does not meet this requirement. However, if a parent or holding company, established for tax, capitalization or other purposes consistent with industry practice, in turn owns and controls an operating subsidiary, the subsidiary may be considered independently owned if it otherwise meets all SB eligibility requirements. In this situation, the individual owners and

controllers of the parent or holding company are deemed to control the subsidiary through the parent or holding company.

(2) The business may not be dominant in its field of operation.

(3) The business may not employ more than the maximum number of employees established by the definition of small business at 62 Pa.C.S. § 2102 (relating to definitions).

(4) The business shall earn less than the amounts designated by the Department.

(5) The Department reserves the right to adjust revenue limits in accordance with § 1.922(b) (relating to responsibilities). Changes will appear in the Department's guidelines at [www.dgs.pa.gov](http://www.dgs.pa.gov).

(c) *Disclaimer.* The Department's self-certification process, as set forth in this section, is limited to SB status and should not be construed as an endorsement of the SB expertise.

(d) *Program auditing.* The Department reserves the right to audit SB status either randomly or based on allegations of non-eligibility. In addition to the decertification process set forth in this subsection, and subject to penalties under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities), anyone providing false information to the Commonwealth may be subject to any or all of the following:

- (1) Debarment or suspension.
- (2) Revocation of any SB, SDB or VBE status.
- (3) Exclusion from the SBR.
- (4) A determination that the bidder is not responsible under the Contractor Responsibility Program.
- (5) A determination that a contract entered into is void or voidable under 62 Pa.C.S. § 1711.2 (relating to solicitations or awards contrary to law).
- (6) Liability for any costs incurred by the Commonwealth in investigating potential violations relating to the validity of information submitted during the SB self-certification process.
- (7) Criminal prosecution or other legal action permitted by law and deemed necessary to protect the Commonwealth's interest and ensure compliance with the laws of the Commonwealth.

**§ 58.404. Verification of eligible small diverse businesses or veteran business enterprises.**

(a) *Prerequisite.* To complete the verification process for consideration as an SDB or VBE, the business shall, as a prerequisite, complete the self-certification process in § 58.403 (relating to self-certification of eligible small businesses) and shall hold the resultant certificate in support of the verification process in this section.

(b) *Verification of SDB status.* The Department will verify MBE, WBE, DOBE, LGBTQBE, SDVBE or disadvantaged business status through the verification of certification from one or more of the following approved third-party entities:

- (1) The Unified Certification Program.
- (2) The National Minority Supplier Development Council.
- (3) The Women's Business Enterprise National Council.
- (4) Disability:IN.

(5) The National LGBT Chamber of Commerce.

(6) The United States Small Business Administration 8(a) Program.

(7) The United States Small Business Administration Veteran Small Business Certification

(8) Additional entities as identified, approved and publicly posted by the Department on its web site at [www.dgs.pa.gov](http://www.dgs.pa.gov).

(c) *Verification of VBE status.* The Department will verify VBE status through the verification of certification from one or more of the following approved third-party entities:

(1) The United States Small Business Administration Veteran Small Business Certification.

(2) Additional entities as identified, approved and publicly posted by the Department on its web site at [www.dgs.pa.gov](http://www.dgs.pa.gov).

(d) *Documentation.* Applicants shall submit proof of active certifications from approved third parties in accordance with the requirements outlined on the Department's web site. The Department reserves the right to request additional information and conduct further review or auditing as needed.

(e) *Single expiration date.* Regardless of the expiration date of the approved third-party certification, the expiration date of the Department verification as an SDB or VBE is the same as the SB self-certification expiration date. To maintain status as an SDB or VBE, a firm shall provide an active third-party certification upon successfully recertifying as an SB.

(f) *Disclaimer.* The Department's verification process, as set forth in this section, is limited to SDB or VBE status and should not be construed as an endorsement of SDB or VBE expertise.

**§ 58.405. Voluntary withdrawal of small business self-certification or small diverse business or veteran business enterprise verification.**

(a) An SB, SDB or VBE may voluntarily withdraw its self-certification or verification at any time for any reason.

(b) The date of withdrawal is the date on which the Department receives written notice from the SB, SDB or VBE of its intent to withdraw.

(c) As of the date of withdrawal:

(1) The Department will not send notifications to the SB, SDB or VBE regarding SBR procurements nor the SDB or VBE programs.

(2) The SB, SDB or VBE may not be considered an active, verified SB, SDB or VBE and may not bid on an active SBR procurement.

(d) An SB, SDB or VBE may return to self-certify or verify, or both, its status at any time so long as it still meets the eligibility requirements associated thereupon.

(e) If the SDB or VBE was included on a prime contractor's utilization schedule prior to its voluntary withdrawal or expiration of its SDB or VBE status, the prime contractor will still receive credit for utilizing the former SDB or VBE toward its SDB or VBE contract-specific goal as applicable.

**§ 58.406. Denial or decertification of small business, small diverse business or veteran business enterprise status.**

(a) The Department will deny or decertify businesses from certified SB status or verified SDB or VBE status, or all of those statuses, for any the following reasons:

(1) The business received certification by knowingly submitting false and misleading information.

(2) The business knowingly allowed the misuse of its certification status.

(3) The business failed to cooperate with or respond to a request for information from the Department or another Commonwealth agency or official.

(4) The alternate certifying entity decertifies the business.

(5) The Department issues a written notice of default or notice of termination, or both, under the terms and conditions of a contract issued as the result of an SBR procurement.

(6) For any other good cause as determined by the Department.

(b) The Department reserves the right to consider other causes that impact business status to be sufficient to warrant decertification.

(c) By certified mail, the Department will send the business a Notice of Proposal to Deny or Decertify that includes all of the following:

(1) Specifies the reasons for the proposed denial or decertification in terms that will place the business on notice of the conduct or transactions upon which the notice is based.

(2) States the grounds relied upon under subsection (a) for proposing denial or decertification.

(3) Advises that, within 20 calendar days after receipt of the Notice of Proposal to Deny or Decertify, the business may submit in person, in writing, or through a representative, information in opposition to the proposed decertification, including information that raises a genuine dispute over the material facts.

(4) States the potential effect of the proposed decertification.

(5) Advises that the Secretary of the Department or a designee will make this decision.

(d) If the business is in fact decertified, the decision letter will also inform the decertified business of its rights of review.

(e) If the actions of the business are the subject of an indictment, information or other criminal charge, the Department may temporarily suspend the certification until the determination is made to decertify or reinstate. A review of this temporary suspension may be made by the Secretary or a designee.

**§ 58.407. Review of denial or decertification of small business, small diverse business or veteran business enterprise status.**

(a) The request for review of denial or decertification shall be made in writing to the Secretary and state the grounds upon which the request is based. Relevant documents, if available, should also be submitted with the request for review.

(b) The Secretary or a designee may reject requests that are untimely, received more than 30 calendar days

after the date of the denial/decertification letter, or insufficient and do not raise issues alleging that the denial/decertification is in error.

(c) The Secretary or a designee shall consider the request for review and any response or reply and may request and review additional documents or information they deem necessary to render a decision and may, at their sole discretion, conduct a hearing consistent with § 58.408 (relating to hearing).

(d) Upon completing an evaluation of the request for review of denial/decertification, the Secretary or a designee shall issue a written determination stating the reasons for the decision. The determination shall be issued within 60 days of the receipt of the request for review of denial or decertification unless extended by consent of the Secretary or a designee and the business that filed the request. The determination shall be the final order of the Department.

**§ 58.408. Hearing.**

(a) *Scope.* The Secretary may delegate to a designee the responsibility to conduct a fact-finding hearing and to prepare a report and recommendation. Fact-finding hearings will be held only when the business requests a review of its denial or decertification under § 58.407 (relating to review of denial or decertification of small business, small diverse business or veteran business enterprise status).

(b) *Purpose.* The fact-finding hearing will be held to determine the operative facts forming the basis for the denial or decertification action as delineated in the notice of denial/decertification provided to the business. The hearing will also determine the sufficiency of the grounds for the review. The fact-finding hearing affords the business an additional opportunity to demonstrate that the facts upon which the denial or decertification are based are insufficient, incorrect or otherwise do not warrant denial or decertification. The business may present information and arguments in accordance with the grounds stated in the request for review indicating why it should not be denied or decertified. Other information may be used by the designee to make a recommendation to the Secretary of the Department.

(c) *Conduct of the hearing.* If a hearing is warranted, it will be conducted under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to practice and procedure of Commonwealth agencies; and judicial review of Commonwealth agency action). If the Department is the moving party, it has the burden of proof.

**§ 58.409. Agency liaison.**

The head of each agency shall designate an employee to be an agency liaison in the administration of that agency's SB programs. The agency liaison shall be a high-level employee reporting directly to a Secretary or agency head who is knowledgeable of agency procurement activity and has the authority to collect, analyze and report agency spend data. The agency liaison is responsible for coordinating agency outreach efforts to the SB community, reviewing agency contracting procedures to ensure compliance with this policy, assisting in the resolution of contracting issues, and submitting required SB program reports or information.

**§ 58.410. Database of self-certified small businesses and verified small diverse businesses and veteran business enterprises.**

(a) The Department shall publish and maintain in an electronic format available to the general public an online, searchable database listing certified SBs and



verified SDBs and VBEs. The online, searchable database shall specify the type of supplies, services, construction or professional services primarily provided by the SB, SDB or VBE and the effective dates and expiration dates of self-certification for each SB and verification for each SDB and VBE. It shall include the address, phone number and contact person for the SB, SDB or VBE. It shall also include all of the following:

(1) Whether the SDB is an MBE, WBE, DOBE, LGBTBE or SDVBE.

(2) Whether the VBE is a veteran-owned small business enterprise or service-disabled veteran-owned small business enterprise.

(b) The online, searchable database may include other information the Department considers necessary or appropriate to encourage participation in the procurement process by SBs, SDBs and VBEs.

(c) The online, searchable database shall be updated at least monthly.

**§ 58.411. Small business reserve program.**

(a) *General.*

(1) The purpose of the Department's SBR program is to increase opportunities for SBs to compete for award of Commonwealth contracts as prime contractors. While the SBR program aims to foster competitive procurements, it does not guarantee every properly certified SB will receive a contract.

(2) Under the SBR program, a business that satisfactorily completes the Department's self-certification process will be deemed a "small business." Only SBs will be eligible to bid or propose as prime contractors for procurements issued under this program. A business is not eligible for an award of a contract issued as a result of an SBR procurement if the Department terminated their SB self-certification after submittal of the bid or proposal but prior to contract award. If the Department terminates an SB's self-certification during the initial contract term, the agency is not required to cancel the contract; however, the agency shall not exercise any contract renewals or options.

(3) Certification and participation in the Department's SBR program is race and gender neutral. However, because SDBs and VBEs must meet the requirements for self-certification as an SB, they will also be eligible to participate in the SBR program. Therefore, for purposes of the SBR program, all references to "small business" shall also include SDBs and VBEs.

(4) The Department reserves the right to issue guidelines as necessary with additional details on the operation of the SBR program, which shall be posted on the Department's web site.

(b) *Eligibility for SBR procurements and exclusions.*

(1) Prior to considering a procurement for the SBR program, agencies must determine whether the goods or services should be procured under 62 Pa.C.S. § 520 (relating to supplies manufactured and services performed by persons with disabilities).

(2) Agencies shall determine whether to include a procurement in the SBR program on a contract-by-contract basis utilizing all of the following criteria:

(i) A minimum of three SBs must exist in the appropriate geographical area that are qualified to responsibly provide the goods or services required to generate competition.

(ii) The SBs must be able to satisfactorily provide the scope of the supplies or services required (that is, distribute goods across this Commonwealth, provide a specific expertise).

(iii) The contract value for the initial contract term must be less than the SB threshold for gross annual revenue.

(iv) Any other factors that an agency deems relevant in determining whether a procurement is suitable for competition by, and award to, SBs.

(3) Agencies shall consider the practical severability of all contracts and may not bundle contracts for the purpose of precluding or limiting inclusion in the SBR program.

(4) Independent agencies shall utilize the criteria in this subsection to determine whether a procurement for supplies that has been delegated by the Department shall be included in the SBR program.

(5) Agencies shall document in writing their determination as to whether a procurement shall be included in the SBR program and shall maintain a copy of the written determination in the official contract file.

(6) Contracts for small, no-bid, emergency or sole-source procurements—regardless of dollar value—are exempt from the requirements of the SBR program. However, agencies are encouraged to utilize SBs whenever possible for small, no-bid, emergency and sole-source procurements.

(c) *Procurement processes.*

(1) Agencies shall utilize the procurement processes documented in the Procurement Handbook found at [www.dgs.pa.gov](http://www.dgs.pa.gov) for all SBR procurements, subject to all of the following:

(i) For SBR procurements, agencies shall only seek competition from and shall only award contracts to those businesses possessing a valid Department-issued SB certification as of the bid or proposal due date and time, unless otherwise set forth in the procurement.

(ii) Notices of SBR procurements shall be issued through the Department's publicly accessible Internet web site consistent with 62 Pa.C.S. § 106.1(b) (relating to public access to procurement records). The public notice of an invitation for bids or requests for proposals shall indicate that the procurement is being issued as part of the SBR program.

(iii) Agencies shall reject as nonresponsive any bid or proposal submitted by an entity that is not a Department self-certified SB as of the bid or proposal due date and time, unless otherwise set forth in the procurement.

(2) The selected SB must self-perform at least 51% of the work.

(3) An SBR procurement may be canceled and reissued as a procurement open to all businesses when, after issuing the SBR-designated solicitation, the issuing agency determines that one of the conditions set forth in subsection (b)(2) does not reasonably exist. The decision to cancel and reissue a procurement shall be made in accordance with 62 Pa.C.S. § 521 (relating to cancellation of invitations for bids or requests for proposals) and shall be deemed final. The re-issued procurement may be, but is not required to be, considered for the setting of SDB and VBE participation goals.

(4) The Department will develop and maintain an internal data dashboard and reporting mechanisms to

provide regularly updated information on agencies' procurement spending levels and percentages, including data on the agencies' SB, SDB and VBE programs.

**§ 58.412. Small diverse business program.**

(a) *Scope.* The provisions of this subchapter shall apply to all procurements within the scope of this policy except for procurements for construction and design professional services.

(b) *Purpose.* To attain the SDB aspirational target, BDISBO, with the cooperation of the issuing agency, shall attempt to set, where required, contract-specific goals for SDB participation. Each contract-specific goal shall be expressed within the solicitation as a percentage of the dollar value of the contract.

(c) *Waivers.* Bidders or offerors may in all instances request a partial waiver or full waiver of a contract-specific goal for SDB participation, as set forth in § 58.415 (relating to good faith efforts waiver).

(d) *Contract-specific goal setting.*

(1) The BDISBO, with the cooperation of the issuing agency, shall assess the potential for an SDB prime contractor and subcontractor participation in each procurement and estimate the amount of participation if any before the solicitation is issued.

(2) In setting a contract-specific goal, the BDISBO and agencies:

(i) May not set a goal that solely relies on the Commonwealth's overall aspirational target or any other jurisdiction's overall percentage goal.

(ii) Must incorporate an analysis of all of the following:

(A) The potential subcontract opportunities available in the procurement, which shall include the provision of supplies or services.

(B) The availability percentages for those subcontract opportunities as derived from the Commonwealth's most recent disparity study.

(C) The number of SDBs listed in the online searchable database of SDBs or otherwise identified as being certified to provide those subcontract opportunities.

(D) The availability of SDBs to respond competitively to the potential subcontract opportunities including geographical proximity, when relevant, and desired work location of SDBs identified under clause (C) to the location of the work to be performed.

(E) The feasibility of subcontracting opportunities given the nature and extent of the proposed contract.

(F) Participation of SDBs on past contracts of similar size, scope and location.

(G) Other factors that contribute to constitutional goal setting.

(e) *Solicitation documentation.*

(1) Each solicitation containing contract-specific goals for SDB participation shall contain those terms, conditions and forms related to SDB participation as required by the Department.

(2) When a contract-specific goal for SDB participation is set for a procurement, a bidder or offeror shall submit with its bid or proposal a completed SDB participation submittal. A bidder or offeror must indicate one of the following on the SDB participation submittal:

(i) Agreement to meet the contract-specific goal for SDB participation in full. In this instance, a bidder or

offeror must provide an SDB utilization schedule which identifies how the bidder or offeror will meet the contract-specific goal.

(ii) Agreement to meet a portion of the contract-specific goal for SDB participation and request a partial waiver for the remainder of the contract-specific goal. In this instance, a bidder or offeror must provide an SDB utilization schedule which identifies how the bidder or offeror will meet a portion of the contract-specific goal and also provide documentation of the bidder or offeror's good faith efforts waiver to meet the unmet portion of the contract-specific goal as set forth in § 58.415.

(iii) Request for a good faith efforts waiver from all of the contract-specific goals. In this instance, a bidder or offeror must provide documentation of the bidder or offeror's good faith efforts to meet the contract-specific goals for SDB participation as set forth in § 58.415.

(3) The failure to complete and submit the SDB participation submittal and additional required documentation as set forth in the solicitation documents may result in a determination that the bid or proposal is not responsive.

(f) *SDB subcontracting provisions.*

(1) A bidder or offeror that is an SDB may satisfy a contract-specific goal for SDB participation through their own self-performance.

(2) When an SDB performs as a participant in a joint venture, the Commonwealth may count a portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the contract that the SDB performs with its own forces toward fulfilling the SDB participation goal, subject to the requirements of paragraph (4).

(3) Because the contract-specific goal for SDB participation is independent of any contract-specific goal for VBE participation, work performed by an SDB that is also a VBE can be used to meet both a contract-specific goal for SDB participation and a contract-specific goal for VBE participation through the same work.

(4) A contractor may only count dollar amounts actually paid to an SDB for performance of a commercially useful function towards satisfying its SDB participation commitments. In addition, the SDB subcontractor, through its own employees, must perform at least 50% of the amount of the subcontract.

(g) *Contract requirements.*

(1) A prime contractor's commitments to meet contract-specific goals and to utilize SDBs listed within the SDB utilization schedule shall become contractual obligations of the prime contractor. A prime contractor's failure to meet the SDB commitments may result in the imposition of sanctions as set forth in § 58.417(d) (relating to compliance with SDB and VBE commitments), 62 Pa.C.S. § 531 (relating to debarment or suspension) and any additional sanctions available under the contract.

(2) Solicitation documents completed and submitted by the selected bidder or offeror in connection with its SDB participation commitments including the SDB participation submittal, SDB utilization schedule and, if applicable, any documentation supporting a request for a good faith efforts waiver shall be made part of the contract.

(h) *Subcontract requirements.*

(1) The selected bidder or offeror and the SDBs that will be used to satisfy the selected bidder or offeror's SDB commitments must enter a final, definitive subcontract agreement signed by the selected bidder or offeror and

the SDB within the time frame specified in the solicitation document. The subcontract agreement must contain those items as specified in the solicitation document.

(2) If a subcontract agreement is required by the solicitation document but the selected bidder or offeror and the SDB listed on the SDB utilization schedule cannot agree upon a definitive subcontract within the required time frame specified in the solicitation, the selected bidder or offeror must provide written notification to the issuing agency and the BDISBO to assist with resolution.

(3) The prime contractor must provide a copy of any required subcontract with an SDB to the BDISBO or the agency within 10 business days of receiving the request.

**§ 58.413. Construction and design professional services program.**

(a) *Scope.* The provisions in this section shall apply to all procurements for construction and design professional services.

(b) *Purpose.* To attain the SDB aspirational target, the BDISBO, with the cooperation of the issuing agency, shall attempt to set, where required, contract-specific goals for SDB participation. Each contract-specific goal shall be expressed within the solicitation as a percentage of the dollar value of the contract.

(c) *Waivers.* Bidders or offerors may in all instances request a partial waiver or full waiver of a contract-specific goal for SDB participation as set forth in § 58.415 (relating to good faith efforts waiver).

(d) *Contract-specific goal setting.*

(1) The BDISBO, with the cooperation of the issuing agency, shall assess the potential for SDB participation in each procurement and estimate the amount of participation, if any, before the solicitation is issued.

(2) In setting a contract-specific goal, the BDISBO and agencies:

(i) May not set a goal that solely relies on the Commonwealth's overall aspirational target or any other jurisdiction's overall percentage goal.

(ii) Must incorporate an analysis of all of the following:

(A) The potential subcontract opportunities available in the prime contract, which shall include the provision of supplies or services.

(B) The availability percentages for those subcontract opportunities as derived from the Commonwealth's most recent disparity study;

(C) The number of SDBs listed in the online searchable database of SDBs or otherwise identified as being certified to provide those subcontract opportunities.

(D) The availability of SDBs to respond competitively to the potential subcontract opportunities, including geographical proximity when relevant and desired work location of SDBs identified under clause (C) to the location of the work to be performed.

(E) The feasibility of subcontracting opportunities given the nature and extent of the proposed contract.

(F) Participation of SDBs on past contracts of similar size, scope and location.

(G) Other factors that contribute to constitutional goal setting.

(e) *Solicitation documentation.*

(1) Each solicitation containing contract-specific goals for SDB participation shall contain those terms, conditions and forms related to SDB participation as required by the Department.

(2) When a contract-specific goal for SDB participation is set for a procurement, a bidder or offeror shall submit with its bid or proposal a completed SDB participation submittal. A bidder or offeror must indicate one of the following on the SDB participation submittal:

(i) Agreement to meet the contract-specific goal for SDB participation in full. In this instance, a bidder or offeror must provide an SDB utilization schedule which identifies how the bidder or offeror will meet the contract-specific goal.

(ii) Agreement to meet a portion of the contract-specific goal for SDB participation and request a partial waiver for the remainder of the contract-specific goal. In this instance, a bidder or offeror must provide an SDB utilization schedule which identifies how the bidder or offeror will meet a portion of the contract-specific goal and also provide documentation of the bidder or offeror's good faith efforts waiver to meet the unmet portion of the contract-specific goal as set forth in § 58.415.

(iii) Request for a good faith efforts waiver from all of the contract-specific goals. In this instance, a bidder or offeror must provide documentation of the bidder or offeror's good faith efforts to meet the contract-specific goals for SDB participation as set forth in § 58.415.

(3) The failure to complete and submit the SDB participation submittal and additional required documentation as set forth in the solicitation documents may result in a determination of nonresponsiveness.

(f) *SDB subcontracting provisions.*

(1) A bidder or offeror that is an SDB may satisfy a contract-specific goal for SDB participation through their own self-performance.

(2) When an SDB performs as a participant in a joint venture, the Commonwealth may count a portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the contract that the SDB performs with its own forces toward fulfilling the SDB participation goal subject to the subcontracting category and crediting set forth in paragraph (4).

(3) Because the contract-specific goal for SDB participation is independent of any contract-specific goal for VBE participation, work performed by an SDB that is also a VBE can be used to meet both a contract-specific goal for SDB participation and a contract-specific goal for VBE participation through the same work.

(4) Contractors may satisfy a contract-specific goal for SDB participation through the use of SDB subcontractors, manufacturers or suppliers in accordance with the following chart, unless otherwise specified in the procurement documents:

<i>SDB Subcontracting Category</i>	<i>% of Credit</i>
<i>Subcontractors:</i> The SDB subcontractor, through its own employees, shall perform at least 50% of the amount of the subcontract, unless the SDB subcontractor is performing one of the functions listed elsewhere in this chart.	Count 100% of the subcontract amount.
<i>Manufacturer</i>	Count 100% of the total cost of the materials or supplies purchased from the SDB manufacturer.
<i>Stocking supplier</i>	Count 60% of the total cost of the materials or supplies purchased from the SDB stocking supplier.
<i>Nonstocking supplier</i>	Count only the amount of the fee or commission charged by the SDB nonstocking supplier for assistance in the procurement of the materials and supplies provided the fees are reasonable and not excessive as compared with fees customarily allowed for similar services and as further defined in the solicitation.

(g) *Contract requirements.*

(1) A prime contractor’s commitments to meet contract-specific goals and to utilize SDBs listed within the SDB utilization schedule shall become contractual obligations of the prime contractor. A prime contractor’s failure to meet the SDB commitments may result in the imposition of sanctions as set forth in § 58.417(d) (relating to compliance with SDB and VBE commitments), 62 Pa.C.S. § 531 (relating to debarment or suspension) and any additional sanctions available under the contract.

(2) Solicitation documents completed and submitted by the selected bidder or offeror in connection with its SDB participation commitments, including the SDB participation submittal, SDB utilization schedule and, if applicable, any documentation supporting a request for a good faith efforts waiver shall be made part of the contract.

(h) *Subcontract requirements.*

(1) The selected bidder or offeror and the SDBs that will be used to satisfy the selected bidder or offeror’s SDB commitments must enter into a final, definitive subcontract agreement signed by the selected bidder or offeror and the SDB within the time frame specified in the solicitation document.

(2) If a subcontract agreement is required by the solicitation document but the selected bidder or offeror and an SDB listed on the SDB utilization schedule cannot agree upon a definitive subcontract within the required time frame specified in the solicitation, the selected bidder or offeror must provide written notification to the issuing agency and the BDISBO.

(3) The prime contractor must provide a copy of any required subcontract with an SDB to a BDISBO or the agency within 10 business days of receiving such a request.

(4) The subcontract requirements set forth in this subsection apply to contracts between a design professional and its consultants.

**§ 58.414. Veteran business enterprise program.**

(a) *Scope.* The provisions of this subchapter shall apply to all procurements within the scope of this policy.

(b) *Purpose.* To attain the VBE aspirational target, the BDISBO, with the cooperation of the issuing agency, shall attempt to set, where required, contract-specific goals for VBE participation. Each contract-specific goal shall be expressed within the solicitation as a percentage of the dollar value of the contract.

(c) *Waivers.* Bidders or offerors may in all instances request a partial waiver or full waiver of a contract-specific goal for VBE participation as set forth in § 58.415 (relating to good faith efforts waiver).

(d) *Contract specific goal setting.*

(1) The BDISBO, with the cooperation of the issuing agency, shall assess the potential for VBE participation in each procurement and estimate the amount of participation if any before the solicitation is issued.

(2) In setting a contract-specific goal, the BDISBO and agencies shall follow the minimum requirement as set forth in 51 Pa.C.S. § 9603 (relating to participation goal) and all of the following:

(i) May not set a contract-specific goal that solely relies on the Commonwealth’s overall aspirational target or any other jurisdiction’s overall percentage goal.

(ii) May incorporate an analysis of all of the following:

(A) The potential subcontract opportunities available in the prime contract, which shall include the provision of supplies or services.

(B) The number of VBEs listed in the online searchable database of VBEs or otherwise identified as being certified to provide those subcontract opportunities.

(C) The availability of VBEs to respond competitively to the potential subcontract opportunities, including geographical proximity when relevant and desired work location of VBEs identified under clause (B) to the location of the work to be performed.

(D) The feasibility of subcontracting opportunities given the nature and extent of the proposed contract.

(E) Participation of VBEs on past contracts of similar size, scope and location.

(F) Other factors that contribute to constitutional goal setting.

(e) *Solicitation documentation.*

(1) Each solicitation containing contract-specific goals for VBE participation shall contain those terms, conditions and forms related to VBE participation as required by the Department.

(2) When a contract-specific goal for VBE participation is set for a procurement, a bidder or offeror shall submit with its bid or proposal a completed VBE participation submittal. A bidder or offeror must indicate one of the following on the VBE participation submittal:

(i) Agreement to meet the contract-specific goal for VBE participation in full. In this instance, a bidder or offeror must provide a VBE utilization schedule which identifies how the bidder or offeror will meet the contract-specific goal.

(ii) Agreement to meet a portion of the contract-specific goal for VBE participation and request a partial waiver for the remainder of the contract-specific goal. In this instance, a bidder or offeror must provide a VBE utilization schedule which identifies how the bidder or offeror will meet a portion of the contract-specific goal and also provide documentation of the bidder or offeror's good faith efforts waiver to meet the unmet portion of the contract-specific goal for VBE participation. The documentation and determination process for good faith efforts waiver requests for contract-specific goals for VBE participation shall be consistent with the documentation and determination process for good faith efforts waiver requests for contract-specific goals for SDB participation set forth in § 58.415.

(iii) Request for a good faith efforts waiver from all of the contract-specific goals. In this instance, a bidder or offeror must provide documentation of the bidder or offeror's good faith efforts to meet the contract-specific goals for VBE participation. The documentation and determination process for good faith efforts waiver requests for contract-specific goals for VBE participation shall be consistent with the documentation and determination process for good faith efforts waiver requests for contract-specific goals for SDB participation set forth in § 58.415.

(3) The failure to complete and submit the VBE participation submittal and additional required documentation as set forth in the solicitation documents may result in a determination that the bid or proposal is not responsive.

(f) *VBE subcontracting provisions.*

(1) A bidder or offeror that is a VBE may satisfy a contract-specific goal for VBE participation through their own self-performance.

(2) When a VBE performs as a participant in a joint venture, the Commonwealth may count a portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the contract that the VBE performs with its own forces toward fulfilling the VBE participation goal, subject to the provisions of paragraph (4).

(3) Because the contract-specific goal for VBE participation is independent of any contract-specific goal for SDB participation, work performed by a VBE that is also an SDB can be used to meet both a contract-specific goal for VBE participation and a contract-specific goal for SDB participation through the same work.

(4) For procurements subject to the VBE program, prime contractors may satisfy a contract-specific goal for VBE participation through the use of VBEs in accordance with § 58.412 (relating to small diverse business program) unless otherwise specified in the procurement documents. For procurements subject to the program for construction and design professional services, prime contractors may satisfy a contract-specific goal for VBE participation through the use of VBE subcontractors, manufacturers or suppliers in accordance with § 58.413 (relating to construction and design professional services program) unless otherwise specified in the procurement documents.

(g) *Contract requirements.*

(1) A prime contractor's commitments to meet contract-specific goals and to utilize VBEs listed within the VBE utilization schedule shall become contractual obligations of the prime contractor. A prime contractor's failure to meet the VBE commitments may result in the imposition of sanctions as set forth in § 58.417(d) (relating to compliance with SDB and VBE commitments), 62 Pa.C.S. § 531 (relating to debarment or suspension) and any additional sanctions available under the contract.

(2) Solicitation documents completed and submitted by the selected bidder or offeror in connection with its VBE participation commitments including the VBE participation submittal, VBE utilization schedule and, if applicable, any documentation supporting a request for a good faith efforts waiver shall be made part of the contract.

(h) *Subcontract requirements.* For procurements subject to the SDB program, the subcontract requirements of § 58.412 apply to the prime contractor commitments to VBEs in the same manner as they apply to commitments to SDBs. For procurements subject to the program for construction and design professional services, the subcontract requirements of § 58.413 apply to the prime contractor commitments to VBEs in the same manner as they apply to the commitments to VBEs.

**§ 58.415. Good faith efforts waiver.**

(a) If a bidder or offeror believes they will be unable to achieve the contract-specific goal, they may in all instances request a full or partial good faith efforts waiver from the contract-specific goal. A request for a good faith efforts waiver may include all of the following supporting documentation as set forth in the good faith efforts documentation to support the waiver request:

(1) A detailed statement of the efforts made to select portions of the work proposed to be performed by SDBs or VBEs as applicable to increase the likelihood of achieving the stated goals.

(2) A detailed statement of the efforts made to contact and negotiate with SDBs or VBEs as applicable, including all of the following:

(i) The names, addresses, dates, telephone numbers and classification of SDBs or VBEs as applicable that were contacted.

(ii) A copy of the information provided to SDBs or VBEs as applicable regarding the plans, specifications and anticipated time schedule for portions of the work to be performed.

(3) As to each SDB or VBE as applicable that placed a subcontract quotation or offer that the bidder or offeror considers not to be acceptable, a detailed statement of the reasons for this conclusion with supporting documentation.

(4) A list of SDBs or VBEs as applicable found to be unavailable, which shall be accompanied by an unavailability verification form signed by the SDB or the VBE as applicable, or a statement from the bidder or offeror that the SDB or the VBE as applicable refused or failed to give the written verification.

(5) The record of the bidder's or offeror's compliance with the outreach efforts as set forth within the solicitation documentation.

(b) A good faith efforts waiver of a contract-specific goal may be granted only upon a reasonable demonstration by a bidder or offeror that the contract-specific goal was unable to be achieved, or was unable to be achieved at a

reasonable price, and if the head of the issuing agency or their designee based on the recommendation of the BDISBO determines that the public interest is served by a good faith efforts waiver. In making a determination under this section, the head of the issuing agency or their designee and the BDISBO may consider engineering estimates, catalogue prices, general market availability and availability of SDBs or VBEs as applicable in the area in which the work is to be performed, other bids or offers and subcontract bids or offers substantiating significant variances between an SDB and a non-SDB or a VBE and a non-VBE as applicable to the cost of participation and their impact on the overall cost of the contract to the Commonwealth, and any other relevant factor. The issuing agency shall provide written notice of the denial of a good faith efforts waiver request with a copy provided to the BDISBO.

(c) A bidder or offeror's failure to meet the contract-specific goal in full and their failure to demonstrate that they made good faith efforts to meet any unmet portion of the contract-specific goal will result in a determination that the bid or proposal is not responsive.

(d) The good faith efforts waiver request including any supporting documentation, the good faith efforts waiver determination and the reasons for the determination shall be maintained in the official contract file.

**§ 58.416. Amendment of commitments post-award.**

(a) The selected bidder or offeror cannot alter its overall SDB or VBE commitments or commitments made to individual SDBs or VBEs without written approval from the issuing office and the BDISBO.

(b) The selected bidder or offeror shall notify the contracting officer of the issuing office and the BDISBO when circumstances arise that may negatively impact the selected bidder's or offeror's ability to comply with SDB or VBE commitments.

(c) The selected bidder or offeror may not terminate or otherwise cancel a subcontract with a firm listed on the utilization schedule without showing good cause why the subcontract should be terminated or cancelled, providing a corrective action plan and receiving written approval from the issuing office and the BDISBO.

(d) Both the overall percentage of SDB or VBE commitments and individual SDB or VBE commitments must be maintained in the event the contract is assigned to another prime contractor.

(e) An agency reserves the right to require SDB or VBE participation on change orders or amendments for additional work not already subject to an SDB or a VBE commitment as further described in the solicitation documents.

**§ 58.417. Compliance with SDB and VBE commitments.**

(a) To ensure compliance with a prime contractor's SDB and VBE commitments, the BDISBO shall do all of the following:

(1) Verify that the firms listed in the utilization schedule are actually performing work and receiving compensation as set forth in the utilization schedule.

(2) Monitor and collect data on contractor compliance with the prime contractor's SDB or VBE, or both, participation commitments.

(b) The prime contractor shall do all of the following:

(1) Permit the BDISBO and the contracting agency to inspect any relevant matter, including records and the jobsite and to interview subcontractors and workers.

(2) Ensure that SDBs or VBEs are paid any undisputed amount to which the SDB or the VBE is entitled within 14 calendar days for construction and design professional work and 10 calendar days for goods and services of the prime contractor's receipt of payment from the Commonwealth for this work.

(3) Submit to the BDISBO, in the format required by the BDISBO, within the time frame set forth within the solicitation document, a utilization report listing payments made to each SDB or VBE. This information will be used to track and confirm the actual dollar amount paid to SDBs and VBEs and will serve as a record of fulfillment of the contractual commitments. If there was no activity the form must be completed by stating "No activity" and the BDISBO has the authority to impose a fine for noncompliance as stated in the contract with the prime contractor.

(c) Upon the BDISBO notifying the contracting agency that a prime contractor did not comply with their SDB or VBE commitments, the contracting agency or the BDISBO shall notify the prime contractor in writing of its findings and shall specify what corrective actions are required. The prime contractor is required to develop and submit a corrective action plan within 10 business days and complete the terms of the corrective action plan within the time specified by the contracting agency.

(d) If a contracting agency determines that material noncompliance with SDB or VBE contract provisions exists and that the prime contractor refuses or fails to take the corrective action required by the contracting agency, the contracting agency, in consultation with the BDISBO, may impose any and all sanctions and remedies available under the contract as it deems appropriate. These sanctions or remedies include, but are not limited to, any of the following:

(1) Termination of the contract.

(2) Revocation of the prime contractor's SB, SDB or VBE status.

(3) Any actions under the Commonwealth's Contractor Responsibility Program, up to and including suspension or debarment from future contracting opportunities with the Commonwealth.

**§ 58.418. Ten-day prompt pay policy.**

A prime contractor that has a contract for nonconstruction goods and services shall pay to SB subcontractors the invoiced amount due for work completed or services provided under the subcontract within 10 days after receipt of payment from the Commonwealth.

**§ 58.419. Program review and expiration.**

Within 5 years after the effective date of this policy, the Department will review the operation of an evidentiary basis for the SDB program and the program for construction and design professional services to determine whether the Commonwealth has a continuing compelling interest in remedying discrimination against SDBs in its marketplace and the permissive scope of any narrowly tailored remedies to redress discrimination against SDBs so that the Commonwealth will not function as a passive participant in a discriminatory marketplace. This policy shall expire on or before January 1, 2028, unless a disparity study completed by the Commonwealth prior to that date shows a statistically significant disparity in the

utilization of SDBs. In that case, the policy shall renew for an additional 5 years, with the review and expiration set forth in this section, each occurring every 5 years thereafter until the disparity study shows no statistically significant disparity in the utilization of SDBs.

**ARTICLE III. PROCUREMENT**

**CHAPTER 68. CONTRACT COMPLIANCE**

**Subchapter B. [Reserved]**

**§ 68.102. [Reserved].**

[Pa.B. Doc. No. 24-348. Filed for public inspection March 15, 2024, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending March 5, 2024.

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 or for credit unions, by e-mail to ra-bncusubmissions@pa.gov and trust companies, by e-mail to ra-bntrustrsuprvsninq@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

No activity.

#### CREDIT UNIONS

No activity.

### OTHER APPLICATION ACTIVITY

#### BANKING INSTITUTIONS

##### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Status</i>
03-01-2024	George E. Norcross, III Palm Beach Palm Beach County, FL  Gregory B. Braca Palm Beach Palm Beach County, FL  Philip A. Norcross Philadelphia Philadelphia County, PA  Alessandra T. Norcross Philadelphia Philadelphia County, PA  Alexander S. Norcross Philadelphia Philadelphia County, PA	Withdrawn

Application for approval to purchase or otherwise acquire voting control of shares that will result in ownership and control of 19.9% of the outstanding shares of common stock and 100% of the outstanding shares of the nonvoting Series B Preferred Stock of Republic First Bancorp, Inc., Philadelphia, PA, and thereby acquire 10% or more of the voting control of Republic Bank, Philadelphia, PA.

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
02-28-2024	Pennian Bank Mifflintown Juniata County	34 South Market Street Elizabethville Dauphin County	Approved



**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
02-26-2024	Luzerne Bank Luzerne Luzerne County	<i>To:</i> 924 Wilkes-Barre Township Boulevard Wilkes-Barre Luzerne County  <i>From:</i> 67 Public Square Wilkes-Barre Luzerne County	Effective
03-01-2024	First Resource Bank Exton Chester County	<i>To:</i> 690 Stockton Drive Suite 300 Exton Chester County (Limited-Service Facility)  <i>From:</i> 1 East Uwchlan Avenue Suite 410 Exton Chester County (Limited-Service Facility)	Accepted

**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,  
*Secretary*

[Pa.B. Doc. No. 24-349. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of April 2024

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of April 2024, is 6 3/4%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 4.36 to which was added 2.50 percentage points for a total of 6.86 that by law is rounded off to the nearest quarter at 6 3/4%.

WENDY S. SPICHER,  
*Secretary*

[Pa.B. Doc. No. 24-350. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Proposed Grant Application by the Department of Education under Part B of the Individuals with Disabilities Education Act for Federal Fiscal Year 2024

Public comment is invited regarding the Department of Education's (Department) proposed grant application under Part B of the Individuals with Disabilities Education Act (IDEA-B) for Federal Fiscal Year 2024. The annual grant application provides, in part, assurances that the Commonwealth's policies and procedures in effect are consistent with the Federal requirements to ensure that a free appropriate public education is made available to all children with a disability from 3 years of age to 21 years of age, including children who have been suspended or expelled from school.

The Department is also seeking public comment on revisions to its Significant Disproportionality procedures, specifically its standard for measuring reasonable progress as set forth in 34 CFR 300.647(d)(2) (relating to determining significant disproportionality). In addition to defining reasonable progress as a reduction in the risk ratio of 0.25 or greater per year for 2 consecutive years, the Department seeks to define reasonable progress as also including a reduction in the risk ratio of 0.5 or greater over a period of 2 consecutive years. The purpose of this revision is to expand the way local educational agencies may demonstrate reasonable progress.

The public participation requirements relevant to Part B are set forth in the Part B regulations at 34 CFR 300.165 (relating to public participation) and in section 441(b)(7) of General Education Provisions Act (20 U.S.C. § 1232d(b)(7)). In accordance with these requirements, and prior to submitting a State plan or adopting any policies and procedures needed to comply with Part B (including any amendments to those policies and proce-

dures), or both, the Commonwealth must ensure reasonable opportunities for participation by local agencies, representatives of the class of individuals affected by this program and other interested institutions, organizations and individuals in the planning for and operation of the IDEA-B program. Section 76.102 of 34 CFR (relating to definition of "State plan" for part 76) indicates that the IDEA-B grant application is considered a State plan.

A copy of the proposed 2024 IDEA-B grant application and the current IDEA-B policies and procedures are available at <https://www.education.pa.gov/k-12/special%20education/idea/pages/default.aspx>. Alternative formats of the documents (for example, Braille, large print, CD) can be made available to members of the public upon request.

The Department will accept written public comment beginning March 18, 2024, until May 17, 2024. The written comments should be directed to Timothy Krushinski, Special Education Adviser, Bureau of Special Education, Department of Education, 607 South Drive, 5th Floor East Wing, Harrisburg, PA 17120, [tikrushins@pa.gov](mailto:tikrushins@pa.gov).

Public comment is also welcomed in alternative formats such as Braille, recorded comments and telephone comments for individuals with disabilities. Individuals with a disability who wish to submit comments by telephone should contact Aaron Ioos, (717) 772-3500, [aioos@pa.gov](mailto:aioos@pa.gov).

Additionally, the Department will provide individuals wishing to present verbal testimony an opportunity to do so. One written copy of verbal testimony prior to the time of presentation would be appreciated. Presentations should be limited to 15 minutes.

Verbal testimony must be provided virtually on March 20, 2024, from 3 p.m. to 6 p.m.

To schedule an opportunity to present verbal testimony, or for persons with a disability who require an accommodation to participate in the proceedings, call Aaron Ioos at (717) 772-3500, [aioos@pa.gov](mailto:aioos@pa.gov) no later than March 18, 2024. Individuals will be provided with a link in order to participate.

Following receipt of all written and verbal comments, the Department will consider all comments and make any

necessary modifications to the proposed 2024 IDEA-B grant application before submission of its Federal Fiscal Year 2024 IDEA-B grant application to the Secretary of the United States Department of Education and the revisions to the Significant Disproportionality procedures before implementation.

DR. KHALID N. MUMIN,  
*Secretary*

[Pa.B. Doc. No. 24-351. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Updated Designation of School Districts to Receive Duquesne City School District's Senior High School Students; 24 P.S. § 16-1607

On September 16, 2023, the Department of Education (Department) published a notice entitled Designation of School Districts to Receive Duquesne City School District's Senior High School Students. That notice addressed the assignment of Duquesne City School District's (Duquesne) high school students to West Mifflin Area School District (West Mifflin) and East Allegheny School District (East Allegheny) for the 2023-2024 school year and the per-pupil tuition rate, calculated under section 1607 of the Public School Code of 1949 (School Code) (24 P.S. § 16-1607).

Through Act 35 of 2023, the formula for calculating the per-pupil tuition rate under section 1607 of the School Code was amended, effective with the 2023-2024 school year. Accordingly, the Department recalculated the per pupil tuition rate for the 2023-2024 school year. The revised tuition rate for Duquesne high school students attending West Mifflin or East Allegheny is \$16,465.65.

DR. KHALID N. MUMIN,  
*Secretary*

[Pa.B. Doc. No. 24-352. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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## APPLICATIONS

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### 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>
0624801	Joint DEP/PFBC Pesticides Permit	New	Zweizig Farms 375 Zweizig Road Shoemakersville, PA 19555-9649	Perry Township Berks County	SCRO
1524801	Joint DEP/PFBC Pesticides Permit	New	Reimel Ted 1925 Rochambeau Drive Malvern, PA 19355-9722	Tredyffrin Township Chester County	SERO
4524801	Joint DEP/PFBC Pesticides Permit	New	Skytop Lodge Corp 1 Skytop Ldg Skytop, PA 18357-1001	Barrett Township Monroe County	NERO
3604202	Manure Storage and Wastewater Impoundments Individual WQM Permit	Amendment	1397 Robert Fulton Highway Quarryville, PA 17566-9630	East Drumore Township Lancaster County	SCRO
0294405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Univar Solutions USA LLC 328 Bunola River Road Bunola, PA 15020	Forward Township Allegheny County	SWRO
1591411	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	New	Martins Comm LLC 25 Randy Lane Cochranville, PA 19330-1647	West Nottingham Township Chester County	SERO
4006405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Aqua PA Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3489	White Haven Borough Luzerne County	NERO
6402401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Camp Starlight Inc. P.O. Box 33389 Palm Beach Gardens, FL 33420	Preston Township Wayne County	NERO
NNOEXNC62	No Exposure Certification	Renewal	Herbert Cooper P.O. Box 40 Genesee, PA 16923-0040	Genesee Township Potter County	NCRO
NOEXSC419	No Exposure Certification	New	Cargill Cocoa & Chocolate Inc. 201 W Lincoln Avenue Lititz, PA 17543-1012	Lititz Borough Lancaster County	SCRO
NOEXSW089	No Exposure Certification	Renewal	Berkley Medical Resources 700 Mountain View Drive Smithfield, PA 15478-8924	Georges Township Fayette County	SWRO

## NOTICES

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<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>
PAG030307	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Reladyne Inc. 1020 Louis Drive Warminster, PA 18974-2822	Warminster Township Bucks County	SERO
PAG032425	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	M & R Motors 4516 W Mountain View Drive Walnutport, PA 18088-9448	Walnutport Borough Northampton County	NERO
PAG033505	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Highspire Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Lower Swatara Township Dauphin County	SCRO
PAG034081	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Reading Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Spring Township Berks County	SCRO
PAG036177	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	6K Amastan Management LLC 541 Steubenville Pike Burgettstown, PA 15021-8559	Hanover Township Washington County	SWRO
PAG036189	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Delmont Terminal LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Delmont Borough Westmoreland County	SWRO
PAG036477	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	GBC Advanced Materials LLC 580 Monastery Drive Latrobe, PA 15650-2659	Unity Township Westmoreland County	SWRO
PAG036573	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	RIDC Region Growth Fund 1001 Technology Drive Suite 1500 Mt Pleasant, PA 15666	East Huntingdon Township Westmoreland County	SWRO
PAG038373	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Rehrig Pacific Co. 1738 W 20 Street Erie, PA 16502-2116	Erie City Erie County	NWRO
PAG038400	PAG-03 NPDES General Permit for Industrial Stormwater	New	Ellwood Group Inc. P.O. Box 31 Ellwood City, PA 16117-0031	Ellwood City Borough Lawrence County	NWRO
PAG041296	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Triple L Properties LLC 7420 Macumber Road Oakfield, NY 14125-9719	Wolf Creek Township Mercer County	NWRO
PAG041297	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Triple L Properties LLC 7420 Macumber Road Oakfield, NY 14125-9719	Wolf Creek Township Mercer County	NWRO
PAG041299	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Armstrong Joseph 9243 Station Road Erie, PA 16510	Greenfield Township Erie County	NWRO
PAG058402	PAG-05 NPDES General Permit for Groundwater Cleanup	Renewal	Shenango Township 3439 Hubbard Middlesex Road West Middlesex, PA 16159-2547	Shenango Township Mercer County	NWRO
PAG123885	PAG-12 NPDES General Permit for CAFOs	Renewal	Adam S Martin Jr 390 Midway Road Bethel, PA 19507-9635	Bethel Township Berks County	SCRO

<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>
PAG124858	PAG-12 NPDES General Permit for CAFOs	Renewal	Hummer Brian J 473 Columbia Hill Road Danville, PA 17821-9317	Valley Township Montour County	SCRO
PAG124876	PAG-12 NPDES General Permit for CAFOs	Renewal	Y Run Farms 3252 Leona Road Troy, PA 16947-8554	Springfield Township Bradford County	SCRO
1024403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Labans Michael 213 Hope Road Cranberry Township, PA 16066-3809	Cranberry Township Butler County	NWRO
WQG01432401	WQG-01 WQM General Permit	New	Triple L Properties LLC 7420 Macumber Road Oakfield, NY 14125-9719	Wolf Creek Township Mercer County	NWRO
WQG01432402	WQG-01 WQM General Permit	New	Triple L Properties LLC 7420 Macumber Road Oakfield, NY 14125-9719	Wolf Creek 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.**

*Northcentral Regional Office*

**PA0115321**, Sewage, SIC Code 4952, **Eric J. Pennington**, 95 Horn Road, Cogan Station, PA 17728-8694. Facility Name: Pennington Single Residence Sewage Treatment Plant. This existing facility is located in Lycoming Township, **Lycoming County**.

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

The receiving stream(s), Little Gap Run, is located in State Water Plan watershed 10-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 Outfall 001 are based on a design flow of 400 GPD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min XXX	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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	Report
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PA0060640**, Sewage, SIC Code 4952, **Pennsylvania American Water Company**, 171 W. Johnson Highway, Norristown, PA 19401-3030. Facility Name: Saw Creek Estates Wastewater Treatment Facility. This existing facility is located in Lehman Township, **Pike 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), Saw Creek, is located in State Water Plan watershed and is classified for 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 0.75 MGD.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.21	XXX	0.68
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	156.4	XXX	XXX	25.0	XXX	50.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub> Minimum % Removal (%)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	187.7	XXX	XXX	30.0	XXX	60.0
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	9.0	XXX	18.0
Ammonia-Nitrogen	56.3	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	18.8	XXX	XXX	Report	Report	XXX
May 1 - Oct 31	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Daily Max	XXX	Report	Daily Max	XXX
Zinc, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
				Avg Qrtly		

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

- Solids Management

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PA0065391**, Pesticides, SIC Code 0782, **Ariel Landowners, Inc.**, P.O. Box 503, Lake Ariel, PA 18436-0503.

Description of Existing Activity: The application is for a renewal of an NPDES permit for a renewal of a discharge associated with the application of pesticides in Lake Township, **Wayne County**.

The receiving stream(s), Ariel Creek (HQ-CWF, MF), is (are) located in State Water Plan watershed(s) 1-C and is (are) classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. The discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

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

The EPA waiver is in effect.

*Northwest Regional Office*

**PA0102601**, Sewage, SIC Code 4952, **Jones Estates Franklin Village PA LLC**, 2310 South Miami Boulevard, Suite 238, Durham, NC 27703-4900. Facility Name: Franklin Mobile Home Village. This existing facility is located in Franklin Township, **Butler County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .028 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.17	XXX	0.58
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	10.5	XXX	21
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	3.5	XXX	7
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

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

- Solids Management

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

The EPA Waiver is in effect.

Northwest Regional Office

**PA0103594**, Sewage, SIC Code 4952, 6515, **Windsor MHC LLC**, 3824 Trythall Street, Bethlehem, PA 18020-2925. Facility Name: Windsor MHP. This existing facility is located at 2871 Route 6N East, Edinboro, PA 16412 in Washington Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary of Little Conneauttee Creek (CWF), is located in State Water Plan watershed 16-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0092 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min 0.5	XXX	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	25.0	XXX	XXX	50
Total Suspended Solids	XXX	XXX	30.0	XXX	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	4.80	XXX	XXX	9.6
Nov 1 - Apr 30	XXX	XXX	4.80	XXX	XXX	9.6
E. Coli	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

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

- Part C 2—Chlorine Minimization
- Part C 3—Dry Streams
- Part C 111—Solids Management for Lagoons

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*

**PA0221627**, Sewage, SIC Code 6515, **Tammy J Ferringer**, 49 Silverbrook Lane, Mercer, PA 16137-6349. Facility Name: Stone Ridge Park MHP. This existing facility is located in Lackawannock Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary to Little Neshannock Creek (TSF), is located in State Water Plan watershed 20-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .002 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.38	XXX	0.89
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 8.4	XXX	16.8
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	XXX	2.8	XXX	5.6
May 1 - Oct 31	XXX	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*

**PA0222381**, Sewage, SIC Code 4952, **Clearfield Jefferson County Region Airport Authority**, 377 Aviation Way, Reynoldsville, PA 15851-8143. Facility Name: Dubois Region Airport. This existing facility is located in Washington Township, **Jefferson County**.

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

The receiving stream(s), Unnamed Tributary to Keys Run (CWF), is located in State Water Plan watershed 17-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .006 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX	
	Average Monthly	Average Weekly		Average Monthly	Maximum		
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX	
			4.0				
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6	
			XXX				
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50	
			XXX				
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	10,000	XXX	
				Oct 1 - Apr 30	Geo Mean	Wkly Avg	XXX
				May 1 - Sep 30	200	1,000	
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean	Wkly Avg	Report	
				XXX	XXX		XXX
Ammonia-Nitrogen	XXX	XXX	Report	XXX	XXX	XXX	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX	
				Avg Qrtly	XXX		
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX	
				Avg Qrtly	XXX		

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

- Part C 2—Chlorine Minimization
- Part C 3—Dry Streams
- Part C 111—Solids Management for Lagoons

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*

**PA0263931**, Sewage, SIC Code 4952, 8800, **Stephen J Gaffney**, 2101 Brickyard Road, North East, PA 16428-2825. Facility Name: Stephen Gaffney SRSTP. This existing facility is located in North East Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to Twelvemile Creek (HQ-CWF, MF), is located in State Water Plan watershed 15-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 Outfall 001 are based on a design flow of .0004 MGD.—Limits.

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

**PA0271608**, Sewage, SIC Code 8800, **Donald Ward**, 185 Donaldson Road, Gibsonia, PA 15044. Facility Name: Donald Ward SRSTP. This existing facility is located in Clinton Township, **Butler County**.

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

The receiving stream(s), Bull Creek (TSF), is located in State Water Plan watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

*Northwest Regional Office*

**PA0295400**, Sewage, SIC Code 8800, **Jack Kinder LLC**, 1567 Sedgwick Road, Waterford, PA 16441-3845. Facility Name: Jack Kinder 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 to LeBoeuf Creek (TSF), is located in State Water Plan watershed 16-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

*Northwest Regional Office*

**PA0295582**, Sewage, SIC Code 8661, **Cottage Hill Wesleyan Methodist Church**, 231 Broad Street, New Bethlehem, PA 16242-1001. Facility Name: Cottage Hill Wesleyan Meth Church SFTF. This proposed facility is located in Porter Township, **Clarion County**.

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

The receiving stream(s), Leisure Run, is located in State Water Plan watershed 17-C and is classified for 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 .0011 MGD.—Limits.

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

*Northwest Regional Office*

**PA0295604**, Sewage, SIC Code 8800, **William C Fox**, 15 Pleasant Street, Sugar Grove, PA 16350-1621. Facility Name: William C Fox SRSTP. This proposed facility is located in Freehold 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), Unnamed Tributary of Little Brokenstraw Creek, is located in State Water Plan watershed and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

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*

**PA0295671**, Sewage, SIC Code 8800, **Barry A Smith**, 4932 S Mechanicsville Road, Clarion, PA 16214-4734. Facility Name: Barry Smith SRSTP. This proposed facility is located in Limestone Township, **Clarion County**.

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

The receiving stream(s), Unnamed Tributary to Little Piney Creek (CWF), is located in State Water Plan watershed 17-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

**PA0004995**, Industrial, SIC Code 3241, **Armstrong Cement & Supply Corporation**, 100 Clearfield Road, Cabot, PA 16023-9531. Facility Name: Armstrong Cement & Supply. This existing facility is located in Winfield Township, **Butler County**.

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

The receiving streams, an Unnamed Tributary to the Rough Run (HQ-TSF) and the Rough Run (HQ-TSF), are located in State Water Plan watershed 18-F and are classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0265 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
			XXX			
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
				200		
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
May 1 - Sep 30				200		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	24.0	XXX	48
				Nov 1 - Apr 30		
				May 1 - Oct 31		
Total Nitrogen	XXX	XXX	XXX	8.0	XXX	16
				Report		
Total Phosphorus	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
				Daily Max		

The proposed effluent limits for Outfall 004 are based on a design flow of 0.144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	Inst Min	Report	XXX	XXX
			XXX			
Iron, Total	XXX	XXX	XXX	3.99	XXX	7.98
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
				XXX		
Arsenic, Total	XXX	XXX	XXX	Avg Qrtly	XXX	XXX
				Report		
				Avg Qrtly		

The proposed effluent limits for Outfall 005 are based on a design flow of 0.0648 MGD.—Limits.

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

The proposed effluent limits for Outfall 010 are based on a design flow of 4.032 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
				XXX		
				Avg Qrtly		

The proposed effluent limits for Outfall 011 are based on a design flow of 0.144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
				XXX		
				Avg Qrtly		

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

- Requirements Applicable to Stormwater Outfalls
- Best Management Practices (BMPs) for Concrete Batch Facilities

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*

**PA0005029**, Industrial, SIC Code 4911, **Brookfield Power Piney & Deep Creek, LLC**, 482 Old Holtwood Road, Holtwood, PA 17532-9720. Facility Name: Piney Hydroelectric Station. This existing facility is located in Piney Township, **Clarion County**.

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

The receiving stream, the Clarion River (WWF), is located in State Water Plan watershed 17-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 006 are based on a design flow of 0.183 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	100.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Aluminum, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 008 are based on a design flow of 0.286 MGD.—Limits.

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

The proposed effluent limits for Outfall 009 are based on a design flow of 0.286 MGD.—Limits.

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

The proposed effluent limits for Outfall 010 are based on a design flow of 0.286 MGD.—Limits.

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

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

- Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**Application No. PA0247600**, Concentrated Animal Feeding Operation (CAFO), **David H Martin (David Martin Farm CAFO)**, 420 Nottingham Road, Nottingham, PA 19362-9024.

David H Martin has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as David Martin Farm CAFO, located in Little Britain Township, **Lancaster County**.

The CAFO is situated near Little Conowingo Creek (HQ-CWF, MF) and Unnamed Tributary to Little Conowingo Creek (HQ-CWF, MF) in Watershed 7-K, which are both classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 730.84 animal equivalent units (AEUs) consisting of 4,400 Swine Wean to Finish and 66,000 Pullets. Liquid swine manure is stored onsite in a concrete underbarn manure storage and solid pullet manure is kept in the barns until cleanout and export. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

*Southeast Regional Office*

**PA0044776**, Sewage, SIC Code 4952, **Northwestern Chester County Municipal Authority**, P.O. Box 308, Honey Brook, PA 19344-0308. Facility Name: Honey Brook Township STP. This existing facility is located in Honey Brook Township, **Chester 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), West Branch Brandywine Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-H and is classified for MF and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.6 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average	Average Monthly	Average Weekly	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.7
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	XXX	75
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	125	187	XXX	25.0	38.0
Nov 1 - Apr 30					
May 1 - Oct 31	68	102	XXX	14.0	21.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	Report	XXX	XXX
Raw Sewage Influent					
Total Suspended Solids	150	225	XXX	30.0	45.0
Total Suspended Solids	Report	XXX	Report	XXX	XXX
Raw Sewage Influent					
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX
Oct 1 - Apr 30				Geo Mean	
May 1 - Sep 30	XXX	XXX	XXX	200	XXX
				Geo Mean	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	144.1	XXX	XXX	28.8	XXX
Ammonia-Nitrogen	40.5	XXX	XXX	8.1	XXX
Nov 1 - Apr 30					
May 1 - Oct 31	13.5	XXX	XXX	2.7	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX
Instream Monitoring					
Total Phosphorus	10.0	XXX	XXX	2.0	XXX
Nov 1 - Mar 31					
Apr 1 - Oct 31	9.0	XXX	XXX	1.8	XXX
Stream Flow, Minimum (MGD)	Report	Report	XXX	XXX	XXX
Instream Monitoring					

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

- No stormwater shall be directly admitted into sanitary sewers

- Proper disposal of collected screenings, slurries, sludges and other solids
- Permittee shall optimize chlorine dosages used for disinfection to minimize TRC in effluent
- Permittee shall develop and maintain Operations & Maintenance (O&M) Plan
- Seasonal effluent limits for fecal coliform

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

The EPA Waiver is not in effect.

*Southeast Regional Office*

**PA0052035**, Sewage, SIC Code 4952, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940-2818. Facility Name: Heritage Hills WWTP. This existing facility is located in Upper Makefield Township, **Bucks 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), Delaware River (WWF, MF) and Houghs Creek (WWF, MF), is located in State Water Plan watershed 2-E 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 0.172 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.23	XXX	0.45
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	14.3	XXX	XXX	10	XXX	20
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	14.3	XXX	XXX	10	XXX	20
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	XXX	1,000.0
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200.0	XXX	1,000.0
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	4.3	XXX	XXX	3.0	XXX	6
Nitrate as N	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Sep 30						
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.172 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
				Avg Qrtly		

The proposed effluent limits for Outfall 002 are based on a design flow of 0.159 MGD.—Limits.

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



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.23	XXX	0.45
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	13.3	XXX	XXX	10	XXX	20
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	13.3	XXX	XXX	10	XXX	20
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	XXX	1,000.0
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	200.0	XXX	1,000.0
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	4.0	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Notification of designation of responsible operator
- Proper disposal of sludge, slurries and other solids
- Development and Implementation of Operation & Maintenance (O&P) Plan
- Requirements for discharge to Delaware River
- Requirements for discharge to groundwater recharge basins
- Seasonal effluent limits for fecal coliform

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

The EPA Waiver is in effect.

Southeast Regional Office

**PA0055263**, Sewage, SIC Code 4952, **Executive Center Condo Association**, 350 S Main Street, Suite 211, Doylestown, PA 18901. Facility Name: Executive Center Condo Association STP. This existing facility is located in Plumstead Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary of North Branch Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	2.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.2	XXX	2.5
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	9.0	XXX	18
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- AMR Reporting
- No Stormwater
- Necessary Property Rights
- Proper Sludge Disposal
- Abandon STP
- Minimize Chlorine Usage
- Small Stream Discharge
- Notification of Designated Operator

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0057002**, Industrial, SIC Code 4953, **Township of Haverford**, 1014 Darby Road, Havertown, PA 19083. Facility Name: Haverford Township Landfill Leachate TP. This existing facility is located in Haverford Township, **Delaware County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .01 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Color (Pt-Co Units)	XXX	XXX	XXX	XXX	XXX	100
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .01 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>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>	
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Dieldrin (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFOS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PFBS (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
HFPO-DA (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

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

- Acquiring Necessary Property Rights
- Proper Sludge Disposal
- WQM Permits
- Applicable BAT if Developed
- Chlorine Optimization
- Small Stream Discharge

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0217301**, Sewage, SIC Code 4952, **Conemaugh Township, Somerset County**, 1120 Tire Hill Road, Johnstown, PA 15905-7707. Facility Name: Jerome WTP. This existing facility is located in Conemaugh Township, **Somerset County**.

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

The receiving stream(s), Unnamed Tributary to Quemahoning Creek (CWF), is located in State Water Plan watershed 18-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
Aluminum, Total	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
Iron, Total	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
Manganese, Total	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		

The proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.17 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max	6.0	XXX	XXX	9.0
		XXX	Inst Min			
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.07	XXX	0.25
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	35.5	53.2	XXX	25.0	37.5	50
May 1 - Oct 31	29.7	46.0	XXX	21.0	32.5	42
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	42.6	63.8	XXX	30.0	45.0	60
Total Suspended Solids						
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
Ammonia-Nitrogen	8.6	13.0	XXX	6.1	9.2	12.2
May 1 - Oct 31	4.4	6.5	XXX	3.1	4.6	6.2

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

- None.

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

The EPA Waiver is in effect.

Southwest Regional Office

**PA0255408 A-1**, Sewage, SIC Code, **Lydia R Sargent**, 419 Patsy Drive, Gibsonia, PA 15044-8939. Facility Name: Sargent Properties SRSTP. This existing facility is located in Pine Township, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary of Montour Run (TSF), is located in State Water Plan watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	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 Geo Mean	XXX	XXX

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

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

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

- None.

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PAI136109**, MS4, **Municipality of Murrysville, Westmoreland County**, 4100 Sardis Road, Murrysville, PA 15668-1120.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Murrysville Borough, **Westmoreland County**. The receiving stream(s), Lyons Run (TSF), Abers Creek (TSF), Haymakers Run (HQ-CWF), Turtle Creek (TSF), Steels Run (HQ-CWF), and Pucketa Creek (TSF), is located in State Water Plan watershed 19-A and 18-A and is classified for Trout Stocking and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

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

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*Northeast Regional Office*

Applicant: **NP New Castle, LLC**

Applicant Address: 3315 N. Oak Trafficway, Kansas City, MO 64116

Application Number: **PAD540005**

Application Type: Renewal

Municipality/County: New Castle Township, **Schuylkill County**

Project Site Name: New Castle Industrial

Total Earth Disturbance Area (acres): 82 acres

Surface Waters Receiving Stormwater Discharges: 1. Mill Creek (CWF, MF); 2. UNT to Mud Run (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 involves the Renewal of PAD540005, a previously approved project which proposed the demolition of the existing “Schuylkill Shopping Mall” and the construction of two industrial warehouse buildings (890,000 ft<sup>2</sup> and 360,000 ft<sup>2</sup>, respectively), a 186-lot parking lot, a 208-lot parking lot, a 222-lot parking lot, access roads, truck loading/unloading areas, and the retrofitting/construction of stormwater management facilities. Overall, the redevelopment of the area will constitute a 3.48-acre reduction in impervious area when compared to existing conditions.

**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: EKG Partnership**

**Applicant Address:** 239 Golf Hill Road, Honesdale, PA 18431-2212

**Application Number: PAD640015**

**Application Type:** Renewal

**Municipality/County:** Honesdale Borough, Texas Township, **Wayne County**

**Project Site Name:** Proposed Fill Site

**Total Earth Disturbance Area (acres):** 7.26 acres

**Surface Waters Receiving Stormwater Discharges:** UNT to Lackawaxen River (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:** Renewal of a commercial/industrial fill site.

**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: Old Easton Realty LLC**

**Applicant Address:** 876 N Easton Road, Doylestown, PA 18902-1020

**Application Number: PAD090100**

**Application Type:** New

**Municipality/County:** Buckingham Township, **Bucks County**

**Project Site Name:** Hyundai Dealership & Biotechnology Research Lab

**Total Earth Disturbance Area (acres):** 8.39 acres

**Surface Waters Receiving Stormwater Discharges:** Pine Run (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:** Parcel is being redeveloped from Anthony-Sylvan Pools to car dealership along N Easton Rd and Biotech. Labs on Old Easton Road. First NPDES Application will be for demolition and remediation of the site. Permit amendment will be filed as part of Land Development approval for new work.

**Special Conditions:** N/A

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

*Northcentral Regional Office*

**Applicant: Pennsylvania-American Water Company**

**Applicant Address:** 852 Wesley Drive, Mechanicsburg, PA 17055

**Application Number: PAD600015**

**Application Type:** New

**Municipality/County:** White Deer Township, **Union County**

**Project Site Name:** White Deer Creek Filter Plant

**Total Earth Disturbance Area (acres):** 1.95 acres

**Surface Waters Receiving Stormwater Discharges:** White Deer Creek (HQ-CWF)

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: Updating of existing Sewage Treatment plant.

Special Conditions: N/A

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

*Northcentral Regional Office*

Applicant: **Matthew Everitt**

Applicant Address: 8010 Buffalo Rd, Mifflinburg, PA 17844

Application Number: **PAD600014**

Application Type: New

Municipality/County: West Buffalo Township, **Union County**

Project Site Name: Matt Everitt AG Operation

Total Earth Disturbance Area (acres): 5.80 acres

Surface Waters Receiving Stormwater Discharges: Rapid 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: The proposal is to construct a new poultry operation inclusive of two poultry barns (48' × 500'), manure storage (60' × 80'), gravel driveway, gravel pads, and associated stormwater management controls.

Special Conditions: N/A

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

*Southwest Regional Office*

Applicant: **Quaker Valley Recreation Association, Inc.**

Applicant Address: 100 Leetsdale Industrial Dr, Ste B, Leetsdale, PA 15056

Application Number: **PAD020027**

Application Type: Renewal

Municipality/County: Bell Acres Borough, **Allegheny County**

Project Site Name: Legacy Fields at Bouchard Family Park

Total Earth Disturbance Area (acres): 19.7 acres

Surface Waters Receiving Stormwater Discharges: Little Sewickley Creek (HQ-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: Development of athletic fields for the recreation association.

Special Conditions: N/A

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

*Southwest Regional Office*

Applicant: **NobelClad US Manufacturing**

Applicant Address: P.O. Box 317, Mount Braddock, PA 15465

Application Number: **PAD260023**

Application Type: New

Municipality/County: Dunbar Borough, **Fayette County**

Project Site Name: NobelClad—New Stockpile

Total Earth Disturbance Area (acres): 7.59 acres

Surface Waters Receiving Stormwater Discharges: Dunbar Creek (HQ-CWF)

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: Construct a new material stockpile comprised of excavated rock.

Special Conditions: Infiltration testing shall be performed upon completion and stabilization of the Post Construction Stormwater Management BMPs identified as Infiltration Basin 1 and Infiltration Basin 2. Testing must be done in the immediate area of each BMP and follow the procedures in Appendix C of the Pennsylvania Stormwater Best Management Practices Manual.

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

*Northeast Regional Office*

Applicant: **Schuylkill Health System Development Corporation**

Applicant Address: LVHN 2100 Mack Blvd., Allentown, PA 18107

Application Number: **PAD480209**

Application Type: New

Municipality/County: Hanover Township, **Northampton County**

Project Site Name: UHS/LVHN Behavioral Health Hospital

Total Earth Disturbance Area (acres): 13.15 acres

Surface Waters Receiving Stormwater Discharges: Monocacy 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 Behavioral Healthcare Facility including associated parking areas, lighting, landscaping, stormwater management facilities and other miscellaneous improvements.

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: **Highland Village Development Co. LLC**

Applicant Address: 139 Andover Mohawk Rd., Andover, NJ 07821-5004

Application Number: **PAD520011**

Application Type: Renewal

Municipality/County: Lehman Township, **Pike County**

Project Site Name: Lehman's Pointe

Total Earth Disturbance Area (acres): 77.00 acres

Surface Waters Receiving Stormwater Discharges: UNT to Saw Creek, High Quality—Cold Water Fish, Migratory Fish (HQ-CWF, MF), 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: The project is renewing the permit for 214 single residential dwellings, driveways and associated stormwater facilities within an existing subdivided site.

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.

*Regional Permit Coordination Office*Applicant: **Rekha Tolani, LLC**

Applicant Address: 514 Wisteria Drive, Moosic, PA 18507

Application Number: **PAD220013**

Application Type: New

Municipality/County: Londonderry Township, **Dauphin County**

Project Site Name: Tolani—Middletown

Total Earth Disturbance Area (acres): 8.05 acres

Surface Waters Receiving Stormwater Discharges: Tributary to Iron Run (WWF, MF), Tributary to Conewago Creek (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: Rekha Toliani, LLC is proposing the construction of a convenience store with two adjacent commercial spaces, fuel pumps, a car wash, two hotels, and stormwater management facilities.

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: **First Energy Corp**

Applicant Address: 76 South Main Street, Akron, OH 44308

Application Number: **PA070001D**

Application Type: New

Municipality/County: Frankstown Township, **Blair County**

Project Site Name: Warrior Ridge 46kV G-Line Rebuild

Total Earth Disturbance Area (acres): 5.6 acres

Surface Waters Receiving Stormwater Discharges: Unnamed Tributary to New 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 consists of rebuilding approximately 0.84 mile of a 46 kV overhead electric line within an existing right-of-way. The project will require temporary stream and wetland crossings to remove the existing poles, install new poles, and removal and installation of supporting guy wire and guy poles.

Special Conditions: To avoid adverse effects on Indiana Bats and their maternity habitat, conduct any tree cutting, tree inundation and prescribed burning from October 1 to March 31. The project is located in the vicinity of the Northern Long-Eared Bat for staging/fall swarming habitat. To ensure take is not reasonably certain to occur. Do not conduct tree removal from May 15 to August 15.

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southwest Regional Office*Applicant: **Peoples Natural Gas Co. LLC**

Applicant Address: 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212

Application Number: **PA650001D**

Application Type: New

Municipality/County: Salem Township, **Greene County**

Project Site Name: Greene Drive Replacement Project

Total Earth Disturbance Area (acres): 2.6 acres

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



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 installation of 3,440 LF of new 2-inch plastic pipeline in Salem Township, Westmoreland County, PA. PNG intends to complete the entire Project using trenching methods. The existing pipeline will be abandoned in place. The Project will be restored to pre-construction conditions and no new permanent impervious areas are proposed.

Special Conditions: N/A

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

*Southwest Regional Office*

Applicant: **PA Cyber Charter School**

Applicant Address: 652 Midland Ave, Midland, PA 15059

Application Number: **PAD040118**

Application Type: New

Municipality/County: Midland Borough, **Beaver County**

Project Site Name: Proposed PA Cyber New Operations Center Redevelopment Project

Total Earth Disturbance Area (acres): 17.17 acres

Surface Waters Receiving Stormwater Discharges: Ohio River (WWF)

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

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

Project Description: This a new application for the development of an operations center for PA Cyber. The project is located along South 12th Street, just across from the Midland Innovation and Technology Charter School. The site was previously an LTV East Mills disposal site and is being remediated under the PA DEP Act 2 Land Recycling Program. The proposed complex will include a large warehouse building with office space, a two-story technology center, multiple asphalt parking areas and driveways, and multiple landscaped areas. The complex may also include two additional buildings which may be developed in the future. The site will include stormwater management facilities including four Managed Release Concept (MRC) underground detention systems and one MRC rain garden.

Special Conditions: 1. Prior to the beginning of work, all public water supplies or other water-related activities located downstream that may be affected by turbidity increases or other water quality changes caused by said work shall be sufficiently notified in advance to allow for preparation of any water quality changes. These include, at a minimum, Midland Borough Municipal Authority (Richard Corradi) at 724-643-4920. 2. Earth disturbance may not commence until all Act 537 authorizations have been obtained. 3. All limitations, conditions, procedures, testing, and monitoring which is in the Soil Management Plan (SMP) and/or any Act 2 remediation plan or site characterization provided with this application are to be followed. No deviation from the SMP is permitted without written authorization from the Department (DEP). a. If contaminants or conditions with the potential to cause pollution are found during construction which are beyond the scope of the SMP or Act 2 considerations, DEP and the County Conservation District shall be notified and measures implemented to contain potential pollution sources immediately upon discovery. b. Any contaminated material to be transported and disposed of off-site including but not limited to pumped groundwater may require permitting with DEP's Waste Management or Clean Water programs. These permits should be anticipated and shall be secured prior to earth disturbance.

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

*Regional Permit Coordination Office*

Applicant: **Tiny Estates, LLC**

Applicant Address: 867 Schwanger Road, Elizabethtown, PA 17022

Application Number: **PAD360112**

Application Type: New

Municipality/County: Mount Joy Township, **Lancaster County**

Project Site Name: Tiny Estates

Total Earth Disturbance Area (acres): 1.5 acres

Surface Waters Receiving Stormwater Discharges: tributary to Donegal Creek (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:** Tiny Estates, LLC is proposing to demolish existing buildings and construct 14 pads and associated driveways, parking areas and stormwater management facilities for future expansion of the Tiny Estates development.

**Special Conditions:** N/A

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

*Northeast Regional Office*

**Applicant: James Schumm**

**Applicant Address:** 27 Monell Place, Beacon, NY 12508

**Application Number: PAD520054**

**Application Type:** New

**Municipality/County:** Milford Township, **Pike County**

**Project Site Name:** Milford Highlands Lot 55

**Total Earth Disturbance Area (acres):** 0.86 acre

**Surface Waters Receiving Stormwater Discharges:** Unnamed Tributary to Deep Brook, Exceptional Value (EV)

**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 dwelling with on-site septic system, well, and stormwater management.

**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: TMS Real Estate Investments, LLC**

**Applicant Address:** 980 Harvest Drive, Suite 200, Blue Bell, PA 19422-1908

**Application Number: PAD480197**

**Application Type:** New

**Municipality/County:** Bangor Borough and Washington Township, **Northampton County**

**Project Site Name:** Quarry Ridge—Townhome Development

**Total Earth Disturbance Area (acres):** 48.31 acres

**Surface Waters Receiving Stormwater Discharges:** Martins Creek (HQ-CWF, MF) and UNTs to Martins Creek (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 development of a 70.87-acre property involving the construction of 255 residential townhome units, parking areas, access roadways, lighting, landscaping, utilities 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.

## **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>
Aurand Poultry LLC 135 Woodside Drive Bloomsburg, PA 17815	Columbia County	839.8	642	Layers	NA	Renewal
Lindell Farms LLC 5207 State Highway 957 Russell, PA 16345	Warren County	1,802.8	1,154.47	Holstein Dairy Cows	NA	New

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

*Contact: Thomas Filip, Environmental Engineer, 717-705-4708.*

**Application No. 3824501**, Construction, Public Water Supply.

Applicant	<b>Mt Lebanon Campmeeting Association, Inc.</b>
Address	23 Mt Lebanon Drive Lebanon, PA 17042
Municipality	North Lebanon Township
County	<b>Lebanon County</b>
Responsible Official	Earnst Meily 23 Mt Lebanon Drive Lebanon, PA 17042
Consulting Engineer	Hershey Engineering, Inc. 703 Woodcrest Ave Lebanon, PA 17042
Application Received	February 27, 2024
Description	Installation of manganese removal treatment and chlorine contact piping.

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

**Application No. 5024502**, Construction, Public Water Supply.

Applicant **Newport Borough Water Authority**  
 Address 497 North Front Street  
 Newport, PA 17074  
 Municipality Oliver Township  
 County **Perry County**  
 Responsible Official Penny Frownfelter  
 497 North Front Street  
 Newport, PA 17074  
 Consulting Engineer Barton and Loguidice, DPC  
 3901 Hartzdale Drive  
 Suite 101  
 Camp Hill, PA 17011  
 Application Received February 8, 2024  
 Description Construction permit for the reactivation of Well No. 1 and associated treatment.

*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](mailto:ra-epswsdw@pa.gov).

**Application No. 0424507**, Construction, Public Water Supply.

Applicant **Allied Convenience LLC**  
 Address 107 Breckenridge Drive  
 Wexford, PA 15090  
 Municipality Darlington Borough  
 County **Beaver County**  
 Responsible Official Usman Azeem Chatta  
 107 Breckenridge Drive  
 Wexford, PA 15090  
 Consulting Engineer Lennon Smith  
 Souleret Engineering, Inc.  
 846 Fourth Avenue  
 Coraopolis, PA 15108  
 Application Received February 21, 2024  
 Description Replacement of filter media for the One Stop Shopper water system.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent (NOI) to Remediate. An acknowledgment of the receipt of a NOI to Remediate is used to identify a site where an individual proposes to, or has been required to, respond to a release of a regulated substance at a site. Individuals intending

to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a NOI to Remediate with DEP. A NOI to Remediate filed with DEP provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. An individual who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals not participating in the remediation.

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

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

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

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

**Kingsley Unit Pad B**, Primary Facility ID # **873802**, 312 Marqies Way, New Albany, PA 18833, Monroe Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001 on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Notice of Intent to Remediate. The NIR concerns soil contaminated with lube oil. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Review* on February 16, 2024. Application received: February 29, 2024.

**Shumhurst BRA Well Pad**, Primary Facility ID # **870184**, 3529 Spring Hill Road, Wyalusing, PA 18853, Tuscarora Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001 on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Notice of Intent to Remediate. The NIR concerns soil contaminated with

produced water. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Review* on February 23, 2024. Application received: February 29, 2024.

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

Contact: Eric Supey, Environmental Program Manager.

**Dupont Terminal**, Primary Facility ID # **774849**, 675 Suscon Road, Pittston, PA 18640, Pittston Township, **Luzerne County**. Piedmont Geologic, 6003-145 Chapel Hill Road, Raleigh, NC 27607 on behalf of Dupont Terminals-DE, LLC, 900 South Eisenhower Boulevard, Middletown, PA 17057, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated with petroleum from historic petroleum terminal operations. The Notice of Intent to Remediate was published in *The Times Leader* on February 18, 2024. Application received: February 28, 2024.

**1016 Lower Demunds Road**, Primary Facility ID # **873822**, 1016 Lower Demunds Road, Dallas, PA 18612, Dallas Township, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512 on behalf of The Harriet J. Parker Trust, 1016 Lower Demunds Road, Dallas, PA 18612, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated with petroleum from aboveground and underground storage tanks. The Notice of Intent to Remediate was published in *The Citizens Voice* on January 19, 2024. Application received: February 29, 2024.

**Pitt Ohio Express Hazleton**, Primary Facility ID # **873807**, 588 Oak Ridge Road, Hazleton, PA 18201, Hazle Township, **Luzerne County**. Geo-Technology Associates, 2405 John Fries Highway, Quakertown, PA 18951 on behalf of Terminal Leasing, Inc., 588 Oak Ridge Road, Hazleton, PA 18201, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of styrene. The Notice of Intent to Remediate was published in *The Standards Speaker* on February 29, 2024. Application received: March 1, 2024.

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

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

**Anthony & Sylvan Pools Site**, Primary Facility ID # **871197**, 3739 North Easton Road, Doylestown, PA 18902, Buckingham Township, **Bucks County**. Jeffrey T. Bauer, PG, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Tony Geonnotti, Fred Beans Automotive Group, 876 North Easton Road, Doylestown, PA 18902, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with PCBs that have contaminated soil on the site. The proposed future use of the property will be nonresidential for development with a car dealership and biotechnology lab. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *Bucks County Courier Times* on December 13, 2023. Application received: November 21, 2023.

**109 Fairview Boulevard**, Primary Facility ID # **873130**, 109 Fairview Boulevard, Crum Lynne, PA 19022, Ridley Township, **Delaware County**. Gil Marshall, Marshall Geoscience Inc., 170 1st Avenue, Collegeville, PA 19426 on behalf of Gary Cocco, Eddystone

Commons LLC, 201 Saville Avenue, Eddystone, PA 19022, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with No. 2 fuel oil, unleaded gasoline and kerosene. The proposed future use of the property will continue to be nonresidential. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *Delaware County Daily Times* on January 19, 2023. Application received: January 17, 2023.

**2029-2059 York Road**, Primary Facility ID # **850612**, 2029-2059 York Road, Jamison, PA 18929, Warwick Township, **Bucks County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951 on behalf of Bill Creeger, Pulte Homes of PA LP, 750 US Highway 202, Suite 500, Bridgewater, NJ 08807, submitted a Notice of Intent to Remediate. The metals lead and arsenic and the pesticide dieldrin were reported in soil and groundwater. The intended future use of the property is residential. The proposed cleanup standard for the site is the Statewide health standard/site-specific standard. The Notice of Intent to Remediate was published in *Bucks County Courier Times* on June 1, 2022. Application received: January 24, 2024.

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

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

**Mather Coal Site**, Primary Facility ID # **628482**, 1st and 8th Streets, Mather, PA 15346, Morgan Township, **Greene County**. AMO Environmental Decisions, 875 North Easton Road, Suite 10, Doylestown, PA 18902 on behalf of Greene County Industrial Development Authority, 93 East High Street, Waynesburg, PA 15370, submitted a Notice of Intent to Remediate. The former Gateway site initially operated as a coal processing and loading facility to support deep mining operations of the Pittsburgh coal seam from the early 1920's to the early 1960's. From 1975 through 1984, Gateway Forest Products operated a creosote treatment plant at the Site. Since 1984 the Gateway site has been used for the storage of heavy equipment and construction materials as well as several large piles of creosote-treated timbers left from the Gateway operations. Environmental investigations performed from the 1990's through 2023 have identified arsenic, 1,1-Biphenyl, benzo(A)Pyrene, and Benzo(B)Fluoranthene in soils at concentrations above applicable PA DEP Non-Residential MSCs. Large coal refuse piles were regraded and revegetated as part of a coal refuse pile reclamation project completed by BAMR in 2016. A portion of the site not within the regraded sections of the parcel, approximately 15.3 acres is proposed to be redeveloped into a nonresidential solar farm. The Notice of Intent to Remediate was published in *The Observer-Reporter* on February 14, 2024. Application received: February 20, 2024.

## 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

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**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.**

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*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.*

**37-00331F: RWE Holding Company**, 535 Rundle Rd, New Castle, PA 16101, Taylor Township, **Lawrence County**. Application received: October 16, 2023. For the replacement of a Cartridge Dust Collector controlling the dry bulk carbon transfer process at the facility. The project potential emissions are estimated at 0.9 tpy PM. The facility is a Natural Minor facility. DEP's review of the information submitted by the applicant indicates that air contamination sources will comply with all regulatory requirements, including monitoring, recordkeeping and reporting requirements, furthermore pertaining to air contamination sources and the emission of air pollutants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, DEP proposes to issue a plan approval for the proposed activity. If DEP determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

*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-26-00618A: DeGusipe Services LLC dba DeGusipe Funeral Home & Crematory**, 65 N Gallatin Avenue, Uniontown, PA 15401, City of Uniontown, **Fayette County**. Application received: July 14, 2023. In accordance with 25 Pa. Code §§ 127.44 and 127.45, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it intends to issue an Air Quality Plan Approval (PA-26-00618A) to DeGusipe Services, LLC (DeGusipe) to authorize installation and temporary operation of a natural gas-fired multiple chamber cremator for human remains, manufactured by Matthews International, Model No. IE43-PPI rated at 150 lbs/hr and maximum charge capacity of 750 lbs. at their facility located in Uniontown City, Fayette County. Emissions from crematory will be controlled by operating and maintaining the proposed Matthews IE43-PPI according to the manufacturer's specifications and instructions. The plan approval requires that the proposed crematory incinerator shall always be operated and maintained in a manner consistent with good operating, maintenance, and air pollution control practices. Upon authorization of this plan approval the DeGusipe facility's potential to emit will not exceed 1.0 ton VOC, 1.0 ton NO<sub>x</sub>, 2.14 tons CO, 0.91 ton SO<sub>x</sub>, 2.14 tons PM<sub>10</sub>, and 0.67 ton HAPs. The DeGusipe facility is subject to the best available technology (BAT). The emission limit restrictions, monitoring, recordkeeping, reporting, and work standards practice conditions of the proposed plan approval have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. DeGusipe's Plan Approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to

receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact Jesse Parihar at [jparihar@pa.gov](mailto:jparihar@pa.gov) or 412.442.4030. A person may oppose the proposed Plan Approval by filing a written protest with the Department through Jesse Parihar via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to [jparihar@pa.gov](mailto:jparihar@pa.gov); or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-26-00618A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

### 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.

*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.*

**48-00095, Ecopax, LLC**, 3600 Glover Rd., Easton, PA 18040, Forks Township, **Northampton County**. Application received: February 19, 2024. The Department intends to issue a renewal Title V Operating Permit for the operation of sources at their polystyrene foam product manufacturing facility. Ecopax is considered a major stationary source for VOCs and is subject to RACT III. The proposed 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.

#### 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.*

**19-00020, Kawneer Company, Inc.**, 500 East 12th Street, Bloomsburg, PA 17815, City of Bloomsburg, **Columbia County**. Application received: November 17, 2022. The Department intends to issue a renewal of the State Only (Synthetic Minor) Operating Permit for the Bloomsburg facility. The facility is currently operating under SMOP 19-00020. The facility's main sources include 56 natural-gas-fired space heaters all rated less than 0.40 MMBtu/hr, six natural-gas-fired space heaters all rated between 3.0 MMBtu/hr and 7.0 MMBtu/hr, one 4.0 MMBtu/hr natural-gas-fired paint drying oven, four 4,000-gallon storage tanks equipped with natural-gas-fired burners, six 7,500-gallon storage tanks equipped with natural-gas-fired burners, one 4.67 MMBtu/hr natural-gas-fired pre-heat furnace, one 5.0 MMBtu/hr natural-gas-fired oven, one 18.8 brake-horsepower propane-fired generator, four spray booths, one paint mixing operation, all painting operations are controlled by

booth filters and a thermal oxidizer, one water treatment facility, two wastewater treatment facilities, two 174 brake-horsepower diesel-fired generators, one 51 brake-horsepower diesel-fired generator, one solvent recycler, one powder coating system, two 4,000-gallon pre-treat tanks, 17 anodizing tanks, one Pour and Debridge process, one Insulpour process, and one billet saw with chip collector (vents indoors). The facility has potential emissions of 23.14 tons per year of carbon monoxide, 28.01 tons per year of nitrogen oxides, 0.2 ton per year of sulfur oxides, 2.72 tons per year of particulate matter with an aerodynamic diameter of less than 10 microns, 2.72 tons per year of particulate matter with an aerodynamic diameter of less than 2.5 microns, 24.16 tons per year of volatile organic compounds, 19.50 tons per year of total hazardous air pollutants (HAPs), and 32,658 tons per year of carbon dioxide equivalents (greenhouse gases). The Pour and Debridge operation and Insulpour operation were approved via RFD that was submitted with the renewal application. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

*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.*

**36-05106, Premier Custom Built, Inc.**, 110 Short Street, New Holland, PA 17557, East Earl Township, **Lancaster County**. Application received: September 26, 2023. To issue a State-Only Operating Permit for its cabinet manufacturing facility. The facility's actual emissions for 2022 were reported as 0.13 tpy CO, 0.15 tpy NO<sub>x</sub>, 0.08 tpy PM<sub>10</sub> and PM<sub>2.5</sub>, 0.00 tpy SO<sub>x</sub>, 17.86 tpy VOC, 4.43 tpy of combined HAPs and 1.90 tpy of a single HAP (toluene). The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52, 129.77 and 129.101—129.107.

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

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

**09-00084, Grand View Hospital**, 700 Lawn Avenue, Sellersville, PA 18960, West Rockhill Township, **Bucks County**. Application received: August 28, 2023. This action is a renewal of a State Only Synthetic Minor Operating Permit. The facility's major emission sources include: three (3) low-NO<sub>x</sub> boilers, one (1) low-NO<sub>x</sub> boiler with induced FGR system, and three (3) emergency generator sets. The facility also has various sources that have been determined to be insignificant including three (3) steam-to-heat heat exchangers, four (4) electric chillers, one (1) cooling tower and one (1) small parts washer.

Potential emissions at the facility, after electing to take limit are as follows: 24.26 tons per year of NO<sub>x</sub>; 9.99 tons per year of CO; 46.46 tons per year PM; and less than 1 ton per year each of SO<sub>x</sub>, VOC and HAP. In addition to applicable State requirements the facility is subject to 40 CFR Part 60 Subparts Dc and IIII and 40 CFR 63 Subpart ZZZZ. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility 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 in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

#### PLAN APPROVALS

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

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

*Contact: Shailesh Patel, New Source Review Chief, 570-826-2357.*

**48-00119B, Ultra-Poly Corporation**, 102 Demi Road, Portland, PA 18351, Portland Borough, **Northampton County**. Application received: February 14, 2024.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Ultra-Poly Corporation (102 Demi Road, Portland, PA18351) for their facility located in Portland Borough, Northampton County. This Plan Approval No. 48-00119b will be incorporated into a State Only Operating Permit through an administrative amendment at a later date.

For the installation and operation of two existing baghouse dust collectors at the facility added to building 2 to reduce fugitive PM emissions from plastic processing. This facility is a Non-Title V facility. The baghouse dust collectors will collect 99.9% of particulate emissions generated from the cleaning operations before dust is collected via a hopper to be sent to a landfill. Estimated particulate actual emissions will be 0.368 ton/year. The use of baghouse dust collectors capable of removing 99.9% of emissions meets Department's BAT criteria for this type of process. The company will operate the sources and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the

information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00119B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Shailesh Patel, Environmental Engineer Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2357 within 30 days after publication date.

#### COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating



to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

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

#### *Coal Applications*

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

<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. 32051301. GP12-32051301. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, Buffington and Brush Valley Townships, Indiana County.** To renew the permit. Includes renewal of Air Quality GPA/GP-12 Authorization. Application received: January 23, 2024. Accepted: February 23, 2024.

**Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill Township, Greene County.** To revise the permit and related NPDES permit to revise several pond outlet systems and installation of a storm sewer system. One new NPDES point is proposed, and one existing NPDES point will be relocated. Receiving stream: Enlow Fork; classified for the following use: TSF. Application received: January 29, 2024. Accepted: February 28, 2024.

*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. 56120116. NPDES No. PA0269174. LCT Energy, LP, 938 Mount Airy Drive, Suite 200, Johnstown, PA 15904, Stonycreek Township, Somerset County.** Permit renewal for the continued operation and restoration of a bituminous surface and auger mine affecting 127.3 acres. Receiving stream: unnamed tributaries to Boone Run, classified for the following use: CWF. Application received: February 27, 2024.

**Mining Permit No. 32901602. NPDES No. PA0214442. Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, Burrell Township, Indiana County.** Transfer of permit and mining activity permit for I-22 Tipple Prep Plant from Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201 affecting 40.8 acres. Receiving streams: Unnamed Tributary to Conemaugh River classified for the following use: CWF. Application received: February 28, 2024.

**Mining Permit No. 56130105. NPDES No. PA0269298. J & J Svonavec Excavating, Inc., 110 Windermere Lane, Somerset, PA 15501, Elk Lick Township, Somerset County.** NPDES renewal of an existing bituminous surface mine affecting 95.0 acres. Receiving streams: unnamed tributary to/and Casselman River, classified for the following uses: CWF & WWF. Application received: March 5, 2024.

**Mining Permit No. 32830113. NPDES No. PA0605778. Beilchick Brothers, P.O. Box 7, Heilwood, PA 15745, Buffington Township, Indiana County.** NPDES renewal for continued operation and restoration of a bituminous surface and auger mine affecting 410.5 acres. Receiving streams: unnamed tributaries to/and Mardis Run, classified for the following use: CWF. Application received: March 5, 2024.

**Mining Permit No. 56130111. NPDES No. PA0269361. Coal Loaders, Inc., 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, Stonycreek Township, Somerset County.** NPDES Renewal for the continued operation and restoration of a bituminous surface and auger mine affecting 44.9 acres. Receiving stream: Stonycreek River, classified for the following use: CWF. Application received: February 27, 2024.

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 17240102. NPDES No. PA0270075. Coal Loaders, Inc., 210 East Main Street, Ligonier, PA 15658, Bigler Township and Woodland Township, Clearfield County.** Applications for a new bituminous coal surface mine permit and associated NPDES permit affecting 168 acres. The surface mining operation proposes to conduct blasting and includes a proposed wetland encroachment to remove and mitigate two separate areas of wetlands. The

areal extent of the wetlands proposed to be impacted is 0.345 acre. Receiving stream(s): Upper Morgan Run to Clearfield Creek to West Branch Susquehanna River classified for the following use(s): CWF. Application received: March 4, 2024. Accepted: March 4, 2024.

*Noncoal Applications*

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

Table 2

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

*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. 56920302. NPDES No. PA0212326. New Enterprise Stone & Lime Co., Inc.,** P.O. Box 77, New Enterprise, PA 16664, Shade Township, **Somerset County.** Renewal of NPDES permit. Receiving stream: Laurel Run classified for the following use: CWF. Application received: February 29, 2024.

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

*Contact: Alicia Cook, Clerical Assistant 3, 814-797-0815.*

**Mining Permit No. 3072SM2. NPDES No. PA0605336. Allegheny Mineral Corporation,** P.O. Box 1022, Kittanning, PA 16201, Marion Township and Mercer Township, **Butler County.** Renewal of an NPDES permit. Application received: February 29, 2024.

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

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

**Mining Permit No. 58130807. William H. Shay,** 258 Shay Road, Thompson, PA 18465, Gibson Township, **Susquehanna County.** Stage I & II bond release of a quarry operation affecting 1.0 acre on property owned by Harold Davis. Application received: March 4, 2024.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

*Coal NPDES Draft Permits*

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**NPDES No. PA0219801. Mining Permit No. 17940107. River Hill Coal Company, Inc.,** P.O. Box 141, Kylertown, PA 16847, Karthaus Township, **Clearfield County**. Application received: November 22, 2023. Accepted: November 28, 2023.

Modification of an NPDES permit to add an additional outfall for discharge of water resulting from bituminous coal surface mining affecting 531 acres. Receiving stream(s): Saltlick Run, classified for the following use(s): HQ-CWF.

The following additional NPDES outfall requires a non-discharge alternative:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
034 (TBNDA)	New	Treatment Facility	No Discharge

There is no proposed surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of NDA pond and dispersion pipes. BAT effluent limits as per 25 Pa. Code § 87.102 will be applied to the outfall effluent entering the New Non-Discharge Alternative (NNDA) system for the protection of the groundwater.

*Noncoal 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. PA0009814. Mining Permit No. 4174SM2. New Enterprise Stone & Lime Co., Inc.,** P.O. Box 77, New Enterprise, PA 16664, Shade Township, **Somerset County**. Renewal and modification of NPDES permit affecting 146.5 acres. Receiving stream: Laurel Run classified for the following use: CWF. Application received: May 9, 2023.

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 outfalls discharge to Laurel Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>
001	Existing	Treatment/Stormwater Outfall
002	New	Treatment/Stormwater Outfall

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

The following limits apply to all weather discharges from all facilities to Laurel Run:

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>Discharge Limitations</i>			<i>Monitoring Requirements</i>	
		<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Measurement Frequency (minimum<sup>1</sup>)</i>	<i>Sample Type</i>
Total Iron (mg/L)		1.5	3.0	3.7	2/Month	Grab
Total Manganese (mg/L)		1.0	2.0	2.5	2/Month	Grab
Total Aluminum (mg/L)		0.75	0.75	0.75	2/Month	Grab
Specific Conductance (micromhos)			Report		2/Month	Grab
Total Alkalinity (mg/L)			Report		2/Month	Grab
Total Acidity (mg/L)			Report		2/Month	Grab
Net Alkalinity (mg/L)			Report		2/Month	Calculated
pH (S.U.)	6.0			9.0	2/Month	Grab
Total Suspended Solids (mg/L)	N/A	35	70	90	2/Month	Grab
Flow (gpm)			Report		2/Month	Measured
Temperature (°F)			Report		2/Month	Measured

**NPDES No. PA0613371. Mining Permit No. 28030301. D L George & Sons Construction Company,** 20 East 6th Street, Waynesboro, PA 17268, Antrim Township, **Franklin County**. Renewal of NPDES permit affecting approximately 43 acres. Receiving stream: Paddy Run classified for the following use: WWF. Application received: May 24, 2023.

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 outfalls discharge to Paddy Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>
001	Existing	Stormwater Outfall

The following limits apply to dry weather discharges from all facilities to Paddy Run:

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>Discharge Average Monthly</i>	<i>Limitations Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Monitoring Requirements Measurement Frequency (minimum<sup>1</sup>)</i>	<i>Sample Type</i>
Total Suspended Solids (mg/L)	N/A	35	70	90	2/Month	Grab
Specific Conductance (micromhos)			Report		2/Month	Grab
pH (S.U.)	6.0			9.0	2/Month	Grab
Flow (gpm)			Report		2/Month	Measured
Temperature (°F)			Report		2/Month	Measured

The following limits apply to precipitation events less than or equal to the 10-year/24-hour for discharges from all facilities to Paddy Run:

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>Discharge Average Monthly</i>	<i>Limitations Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Monitoring Requirements Measurement Frequency (minimum<sup>1</sup>)</i>	<i>Sample Type</i>
pH (S.U.)	6.0	N/A	N/A	9.0	2/Month	Grab
Total Settleable Solids (mL/L)	N/A	N/A	N/A	0.5	2/Month	Grab
Flow (gpm)			Report		2/Month	Measured

The following limits apply to precipitation events greater than the 10-year/24-hour for discharges from all facilities to Paddy Run:

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>Discharge Average Monthly</i>	<i>Limitations Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Monitoring Requirements Measurement Frequency (minimum<sup>1</sup>)</i>	<i>Sample Type</i>
pH (S.U.)	6.0	N/A	N/A	9.0	2/Month	Grab

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

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

**NPDES Permit No. PA0225771. Mining Permit No. 64730304. Heidelberg Materials Northeast, LLC,** 7660 Imperial Way, Allentown, PA 18195, Dennison Township, **Luzerne County.** Renew NPDES permit, affecting 147.5 acres. Receiving stream: UNT to Wright Creek, classified for the following uses: HQ-CWF, MF. TMDL for Aluminum, Iron, and Manganese. Application received: November 6, 2023. Non-Discharging Best Management Practices will be in effect. Application received: November 6, 2023.

**FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

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

the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

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

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

**E0829224-003. Chesapeake Appalachia LLC,** 14 Chesapeake Lane, Sayre, PA 18840, Wysox Township, **Bradford County.** U.S. Army Corps of Engineers Baltimore District. Application received: February 28, 2024.

To construct, operate and maintain:

1. a 16-inch diameter temporary waterline and a timber mat bridge impacting 440 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.80581°, Longitude: -76.363222°);

2. a 16-inch diameter temporary waterline and a timber mat bridge impacting 250 square feet of Palustrine Scrub-Shrub Wetland and 7,890 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.80581°, Longitude: -76.363222°);

3. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (300 square feet) of an unnamed tributary to Wysox Creek (CWF, MF) and 2,360 square feet of floodway impacts (Rome, PA Quadrangle, Latitude: 41.803318°, Longitude: -76.360137°);

4. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (140 square feet) of an unnamed tributary to Wysox Creek (CWF, MF) and 2,900 square feet of floodway impacts (Rome, PA Quadrangle, Latitude: 41.802847°, Longitude: -76.360142°);

5. a 16-inch diameter temporary waterline impacting 20 linear feet (160 square feet) of an unnamed tributary to Wysox Creek (CWF, MF), 7,440 square feet of floodway impacts, and 40 square feet of Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.800713°, Longitude: -76.359131°);

6. a 16-inch diameter temporary waterline impacting 2 linear feet (2 square feet) of an unnamed tributary to Wysox Creek (CWF, MF), 128 square feet of floodway impacts, (Rome, PA Quadrangle, Latitude: 41.800352°, Longitude: -76.357994°);

7. a 16-inch diameter temporary waterline and a timber mat bridge impacting 2,400 square feet of floodway impacts to an unnamed tributary to Wysox Creek (CWF, MF), and 7,540 square feet of Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.798870°, Longitude: -76.357146°);

8. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,040 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.799002°, Longitude: -76.354204°);

9. a 16-inch diameter temporary waterline and a timber mat bridge impacting 840 square feet of floodway impacts to an unnamed tributary to Wysox Creek (CWF, MF), and 2,140 square feet of Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.798385°, Longitude: -76.353122°);

10. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet (180 square feet) of an unnamed tributary to Wysox Creek (CWF, MF), 2,700 square feet of floodway impacts, and 1,800 square feet of Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.798188°, Longitude: -76.351574°);

11. a 16-inch diameter temporary waterline and a timber mat bridge impacting 8,440 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.796714°, Longitude: -76.350821°);

12. a 16-inch diameter temporary waterline and a timber mat bridge impacting 2,880 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.795139°, Longitude: -76.350832°);

13. a 16-inch diameter temporary waterline impacting 8 linear feet (13 square feet) of an unnamed tributary to

Vought Creek (WWF, MF), 128 square feet of floodway impacts, (Rome, PA Quadrangle, Latitude: 41.784365°, Longitude: -76.350365°);

14. a 16-inch diameter temporary waterline impacting 467 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41.784091°, Longitude: -76.358823°).

The project will result in 80 linear feet (795 square feet) of temporary stream impacts, 18,934 square feet (0.435 acre) of temporary floodway impacts, 32,677 square feet (0.780 acre) of temporary PEM wetland impacts, and 250 square feet (0.006 acre) of temporary PSS wetland impacts, all for the purpose of establishing a temporary water supply for Marcellus well development in Wysox Township, Bradford County.

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

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

**E4104224-002. Cascade Township**, 1456 Kellyburg Road, Trout Run, PA 17771, Cascade Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: January 24, 2024.

This project is the installation of 120' of stacked rock wall with riprap transitions to existing streambank at either end at 2369 Slacks Run Road, Trout Run, PA 17771. The wall is 8' high to match the existing, eroding streambank. This project is being constructed on an area that was a front yard prior to recent, significant stream-caused erosion. Latitude: 41.4459°, Longitude: -76.9370°.

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

*Contact: 717-705-4802.*

**E3603223-009. Bent Creek Country Club Golf Course Improvement**, Greenside Drive, Lititz, PA 17543, East Hempfield and Manheim Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 8, 2023.

To install and maintain a 6-inch HDPE irrigation line across the Little Conestoga Creek (WWF) and along its floodway at three different locations: GP-5-1 (40.121745, -76.357791), GP-5-2 (40.120662, -76.357014), and GP-5-3 (40.119331, -76.356084); and 2) to re-grade and maintain a bunker on Hole # 4 on the floodway of Little Conestoga Creek that will permanently impact approximately 30-linear feet of watercourse, 0.4 acre of floodway, and 0.01 acre of permanent wetland impact, all for the purpose of improving the golf course. The project is located approximately 0.07 mile southwest of the intersection of Shadewood Pi. and Greenside Dr. (Latitude: 40.120437°N; Longitude: -76.357156°W) in East Hempfield and Manheim Township, Lancaster County.

**E2203224-001. Hershey Entertainment & Resorts Company**, 27 West Chocolate Avenue, Suite 100, Hershey, PA 17033, Derry Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 19, 2024.

To demolish and remove existing features temporarily impacting approximately 5,212 square feet of the floodway of Spring Creek (WWF, MF) and permanently impacting approximately 1,009 square feet of the floodway of Spring Creek (WWF, MF). All proposed work is for the purpose of preparing the area for a future

attraction. The project is located at Longitude: 40.28727, Latitude: -76.55420 in Derry Township, Dauphin County. There are no wetland impacts associated with this project. Latitude: 40.28727°, Longitude: -76.55420°.

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

*Contact: Dana Drake, Program Manager.*

**E1105223-001. Johnstown Redevelopment Authority**, 416 Main Street, Suite 200, Johnstown, PA 15901, City of Johnstown, **Cambria County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: July 7, 2023. Latitude: 40° 20' 22", Longitude: -78° 55' 20".

**E1105223-001. Johnstown Redevelopment Authority**, Suite 200, 416 Main Street Johnstown, PA 15901; Pittsburgh ACOE District

To:

1. Construct and maintain 31 lf of 18 in smooth line corrugated plastic culvert, in association with a road crossing of a UNT to Hinckston Run (WWF).

2. Construct and maintain 25 lf of 24 in smooth line corrugated plastic culvert in association with a road crossing of this same UNT to Hinckston Run, at another location.

3. Construct and maintain 71 feet of rock lined channel in this same UNT to Hinckston Run.

4. Construction and maintain access road in 0.044 acre of permanent impact and 0.071 acre of temporary impact in the Floodway of this same UNT to Hinckston Run and floodplain of the Conemaugh River (WWF).

5. Construct and maintain a 20 feet long rock Apron outlet in the floodway of Hinckston Run (WWF).

For the purpose of the construction of a new access road from the existing Iron Street to an area approximately 115 acres of developable property. The project will cumulatively and permanently impact 100 LF of watercourse and 0.15 acre of floodway. The project will cumulatively and temporarily impact 0.29 acre of floodway.

The project site is located at 124 Iron street, City of Johnstown, PA 15906 (Johnstown, PA USGS topographic quadrangle; N: 40°, 20', 22"; W: -78°, 55', 20"; Sub-basin 18; USACE Pittsburgh District), in City of Johnstown, **Cambria County**.

**E6305222-001. Forest View Lane Partners LLC**, 3700 S. Water Street, Suite 150, Pittsburgh, PA 15203, North Strabane Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 4, 2022. Latitude: 40° 14' 59", Longitude: -80° 9' 35".

**E6305222-001. Forest View Land Partners LLC**, 3700 S Water Street, Suite 150, City of Pittsburgh, Allegheny County; Pittsburgh ACOE District.

The Applicant has been given consent to:

Construct, operate, and maintain:

1. A 15" diameter, 92 linear foot (LF) smooth lined corrugated plastic pipe (SLCPP) with R-4 outlet protection of R003 an Unnamed Tributary (UNT) to Little Chartiers Creek (HQ-WWF), for the purpose of road construction, which will permanently impact 96 LF of watercourse R003 and 9,600 square feet (SF) of its floodway. The crossing will additionally impact a de

minus amount (67 square feet) of Wetland W002, a palustrine emergent (PEM) wetland.

2. An 8" diameter, 40 LF SLCPP extension with R-4 outlet protection, of an existing 8" diameter culverted road crossing of R004 a UNT to Little Chartiers Creek (HQ-WWF), for the purpose of road construction, which will permanently impact 55 linear feet of watercourse R004 and 5,500 SF of its floodway.

3. A 15" diameter, 138 linear foot reinforced concrete pipe (RCP) stream enclosure with R-4 outlet protection of R006 a UNT to Little Chartiers Creek (HQ-WWF), for the purpose of road construction, which will permanently impact 107 LF of watercourse R006 and 10,700 SF of its floodway. This stream enclosure will additionally impact a de minus amount (1,330 square feet) of wetland W001, a PEM wetland.

4. One (1) 8" diameter water utility line crossing of R003, one (1) 8" diameter water utility crossing of R004, and five (5) utility line crossings of R006 consisting of one (1) 2" diameter natural gas line, one (1) 30" diameter storm sewer line, one (1) 8" diameter sanitary sewer line, one (1) 8" water line, and (1) 2" diameter electric utility line. All of these utility line crossings will occur entirely within the fills associated with the road crossings noted in the previously listed items 1, 2, and 3.

5. Roadway fill within the floodway of R007 a UNT to Little Chartiers Creek (HQ-WWF), which will permanently impact 7,000 SF of R007's floodway.

6. One (1) 2" diameter natural gas utility line crossing of the floodway of R007. This utility line crossing is entirely within the area of roadway fill noted in the previously listed item 5.

7. One (1) 24" SLCPP stormwater basin outfall structure to R001. This outfall structure will result in permanent impacts to 21 LF of watercourse R001 and 1,050 SF of its floodway.

8. One (1) 24" SLCPP stormwater outfall to R005 UNT to Little Chartiers Creek (HQ-WWF). This outfall structure will result in permanent impacts to 21 LF of watercourse R005 and 1,050 SF of its floodway.

For the purpose of developing approximately 36.5 acres to be utilized as a residential subdivision with 47 lots.

Cumulatively, the project will permanently impact 300 linear feet of UNTs to Little Chartiers Creek and 0.81 acre of their floodways. Mitigation for impacts to watercourses will be provided through enhancement of 400 linear feet of an off-site stream. Additionally, cumulative, permanent wetland impacts are de minus and total 0.031 acre.

The project site is located along Locust Street, 0.13 miles south of its intersection with Poplar Street (Canonsburg & Washington East, PA USGS topographic quadrangle; N: 40°, 14', 59"; W: -80°, 9', 35"; Sub-basin 20F; USACE Pittsburgh District), in North Strabane Township, **Washington County**.

#### DAM SAFETY

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

*Contact: Roger Adams, P.E., Sr. Civil Engineer Hydraulic, 717-772-3969.*

**D06-003. City of Reading**, 815 Washington Street, Reading, PA 19601, City of Reading, **Berks County**. The project is to modify, operate, and maintain the Egelman

Reservoir Dam and reservoir located at 2300 Hill Road and across Ross Valley Creek, a tributary to the Schuylkill River, (WWF, MF) in the City of Reading. The project is to lower the hazard potential of the dam by placing 10 feet of engineered fill within the existing reservoir to reduce the normal pool depth to 4.5 feet. The proposal

includes a new auxiliary spillway and embankment improvements. The project will impact approximately 2.5 acres of open water resources with the placement/discharge of fill, Latitude: 40.3401°, Longitude: -75.8955°. Application received: December 8, 2023.

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## ACTIONS

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### 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>
PA0259900	CAFO Individual NPDES Permit	Issued	Brian Byers 81 Four Pines Road Quarryville, PA 17566-9799	East Drumore Township Lancaster County	SCRO
PAD090101	Chapter 102 Individual NPDES Permit	Issued	North Penn Water Authority Montgomery County 300 Forty Foot Road Lansdale, PA 19446-4017	West Rockhill Township Bucks County	SERO
PAD150098	Chapter 102 Individual NPDES Permit	Issued	The Hankin Group 707 Eagleview Boulevard Suite 400 Exton, PA 19341-1159	Upper Uwchlan Township Chester County	SERO
PAD150310	Chapter 102 Individual NPDES Permit	Issued	802 E Baltimore Pike LLC 20 S Olive Street Suite 203 Media, PA 19063-3228	East Marlborough Township Chester County	SERO
PAD150319	Chapter 102 Individual NPDES Permit	Issued	Zook John D 3930 E Newport Road Gordonville, PA 17529-9716	West Caln Township Chester County	SERO
PAD230071	Chapter 102 Individual NPDES Permit	Issued	James A Nolen III Dynasty Trust 950 W Valley Forge Road King of Prussia, PA 19406-4534	Newtown Township Delaware County	SERO
PAD390274	Chapter 102 Individual NPDES Permit	Issued	GM 001 LLC 1047 Cetrionia Road Breinigsville, PA 18031-1410	Lower Macungie Township Lehigh County	NERO
PAD400067	Chapter 102 Individual NPDES Permit	Issued	Rice Township 3000 Church Road Mountain Top, PA 18707-9035	Rice Township Luzerne County	NERO
PAD450137	Chapter 102 Individual NPDES Permit	Issued	Tobyhanna Army Depot 11 Hap Arnold Boulevard Tobyhanna, PA 18466-5002	Coolbaugh Township Monroe County	NERO
PAD450192	Chapter 102 Individual NPDES Permit	Issued	Pleasant Valley Assembly of God P.O. Box 797 Broadheads ville, PA 18322	Chestnuthill Township Monroe County	NERO
PAD480203	Chapter 102 Individual NPDES Permit	Issued	Raab Joann 2650 Eagle Lane Hellertown, PA 18055-3361	Williams Township Northampton County	NERO
PAD510043	Chapter 102 Individual NPDES Permit	Issued	PA DOT Engineering District 6 0 7000 Geerdes Boulevard King Of Prussia, PA 19406-1525	Philadelphia City Philadelphia County	SERO
PAD630067	Chapter 102 Individual NPDES Permit	Issued	Forest View Land Partners LLC 3700 S Water Street Suite 150 Pittsburgh, PA 15203-2368	North Strabane Township Washington County	SWRO
PAD650011	Chapter 102 Individual NPDES Permit	Issued	Majestic Estates LLC 2366 Golden Mile Highway PMB 145 Pittsburgh, PA 15239	Murrysville Borough Westmoreland 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>
PAD670081	Chapter 102 Individual NPDES Permit	Issued	TCNE Rte 74 Assoc LLC 300 Conshohocken State Road Suite 250 West Conshohocken, PA 19428-3801	Carroll Township York County	SCRO
PAD670087	Chapter 102 Individual NPDES Permit	Issued	Grant Donald Jr 36 Ridgewood Drive Hanover, PA 17331-8488	Codorus Township York County	SCRO
PAD670096	Chapter 102 Individual NPDES Permit	Issued	Columbia Gas of PA Inc. 1600 Colony Road York, PA 17408-4357	West Manheim Township York County	SCRO
PA0053554	Industrial Stormwater Individual NPDES Permit	Issued	Hyponex Corp 944 Newark Road Avondale, PA 19311-1133	New Garden Township Chester County	SERO
PA0056766	Industrial Stormwater Individual NPDES Permit	Issued	Philadelphia City Division of Aviation 2 International Plaza Suite 325 Philadelphia, PA 19113-1505	Philadelphia City Philadelphia County	SERO
0624801	Joint DEP/PFBC Pesticides Permit	Issued	Zweizig Farms 375 Zweizig Road Shoemakersville, PA 19555-9649	Perry Township Berks County	SCRO
3613850	Joint DEP/PFBC Pesticides Permit	Issued	Ephrata Township 265 Akron Road Ephrata, PA 17522-2611	Ephrata Township Lancaster County	SCRO
3913806	Joint DEP/PFBC Pesticides Permit	Issued	Four Seasons At Farmington 6995 Farmington Drive Macungie, PA 18062-8986	Lower Macungie Township Lehigh County	NERO
3923804	Joint DEP/PFBC Pesticides Permit	Issued	Barry Isett & Assoc Inc. 5420 Crackersport Road Allentown, PA 18104-9254	Upper Macungie Township Lehigh County	NERO
4523804	Joint DEP/PFBC Pesticides Permit	Issued	Lake Swiftwater Club Inc. P.O. Box 445 Henryville, PA 18332-0445	Paradise Township Monroe County	NERO
5817807	Joint DEP/PFBC Pesticides Permit	Issued	Genute Lillian 607 Lacey Drive Endwell, NY 13760	Choconut Township Susquehanna County	NERO
5823803	Joint DEP/PFBC Pesticides Permit	Issued	Deskiewicz Mike 8006 Glenwood Court New Tripoli, PA 18066-2955	Auburn Township Susquehanna County	NERO
6319807	Joint DEP/PFBC Pesticides Permit	Issued	Chapman Jeff 340 Jolly School Road Washington, PA 15301-9085	South Franklin Township Washington County	SWRO
6413821	Joint DEP/PFBC Pesticides Permit	Issued	Lake Quinn Assoc Inc. P.O. Box 64 South Canaan, PA 18459-0064	South Canaan Township Wayne County	NERO
6423806	Joint DEP/PFBC Pesticides Permit	Issued	Ulinsky Mark 2924 Hancock Highway Equinunk, PA 18417-3089	Damascus Township Wayne County	NERO
6423807	Joint DEP/PFBC Pesticides Permit	Issued	Spano Jim 540 Pleasant Mount Drive Forest City, PA 18421-4012	Mount Pleasant Township Wayne County	NERO
6423808	Joint DEP/PFBC Pesticides Permit	Issued	Thompson Wayne 137 Equinunk Creek Road Lakewood, PA 18439	Buckingham Township Wayne County	NERO
6518800	Joint DEP/PFBC Pesticides Permit	Issued	Westmoreland Farms HOA 3820 Old Willam Penn Highway Murrysville, PA 15668-1850	Murrysville Borough Westmoreland County	SWRO

## NOTICES

<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>
PAI133552	MS4 Individual NPDES Permit	Issued	Centre Township 449 Bucks Hill Road Mohrsville, PA 19541-9340	Centre Township Berks County	SCRO
PA0002372	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	International Waxes Inc. 45 Route 446 Smethport, PA 16749-5413	Keating Township McKean County	NWRO
PA0025437	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	North Coventry Township Municipal Authority 1485 East Schuylkill Road P.O. Box 833 Pottstown, PA 19464	North Coventry Township Chester County	SERO
PA0027367	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Greenville Borough Sanitary Authority P.O. Box 604 125 Main Street Greenville, PA 16125-0604	Hempfield Township Mercer County	NWRO
PA0028428	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Brockway Area Sewer Authority 501 Main Street Brockway, PA 15824-1326	Brockway Borough Jefferson County	NWRO
PA0026247	Major Sewage Facility >= 5 MGD Individual NPDES Permit	Issued	Hatfield Township Municipal Authority 3200 Advance Lane Colmar, PA 18915-9766	Hatfield Township Montgomery County	SERO
PA0042269	Major Sewage Facility >= 5 MGD Individual NPDES Permit	Issued	Lancaster Area Sewer Authority 130 Centerville Road Lancaster, PA 17603-4007	Manor Township Lancaster County	SCRO
PA0026191	Major Sewage Facility with CSOs Individual NPDES Permit	Issued	Huntingdon Borough P.O. Box 592 530 Washington Street Huntingdon, PA 16652-0592	Smithfield Township Huntingdon County	SCRO
2203401	Major Sewage Treatment Facility Individual WQM Permit	Issued	Derry Township Municipal Authority 670 Clearwater Road Hershey, PA 17033-2453	Derry Township Dauphin County	SCRO
2802201	Manure Storage and Wastewater Impoundments Individual WQM Permit	Issued	Mercer Vu Farms Inc. 12275 Mount Pleasant Road Mercersburg, PA 17236-9745	Montgomery Township Franklin County	SCRO
2811202	Manure Storage and Wastewater Impoundments Individual WQM Permit	Issued	Stoners Hijos Hill Inc. 7678 Oellig Road Mercersburg, PA 17236-9549	Peters Township Franklin County	SCRO
PA0051713	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Evonik Corp 1200 West Front Street Chester, PA 19013-3438	Chester City Delaware 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>
PA0055913	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Corco Chemicals Corp 299 Cedar Lane Fairless Hills, PA 19030-4501	Falls Township Bucks County	SERO
PA0063304	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Blythe Township Municipal Authority 375 Valley Street New Philadelphia, PA 17959-1218	Cass Township Schuylkill County	NERO
PA0084450	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Raven Rock Mountain Complex 1155 Defense Pentagon Washington, DC 20301-1155	Liberty Township Adams County	SCRO
PA0084638	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Boyertown Borough 100 S Washington Street Boyertown, PA 19512-1521	Earl Township Berks County	SCRO
PA0087718	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Crystal Spring Hardwood Inc. 345 S Valley Road Crystal Spring, PA 15536-0034	Brush Creek Township Fulton County	SCRO
PA0100536	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA DCNR 4790 Chapman Dam Road Clarendon, PA 16313-2830	Pleasant Township Warren County	NWRO
PA0217948	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Highridge Water Authority 17 Maple Avenue Blairsville, PA 15717-1232	Saint Clair Township Westmoreland County	SWRO
PA0285188	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Hyperion Midstream LLC 501 Technology Drive Suite 1200 Canonsburg, PA 15317-7535	Elizabeth Township Allegheny County	SWRO
PA0093254	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Sugar Creek Rest Inc. 120 Lakeside Drive Worthington, PA 16262-5102	Sugarcreek Township Armstrong County	NWRO
PA0054780	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Concord Township 43 S Thornton Road Glen Mills, PA 19342-1325	Concord Township Delaware County	SERO
PA0080055	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	The York Water Co. 130 E Market Street York, PA 17401-1219	West Donegal Township Lancaster County	SCRO

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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>
5423201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Aqua PA Inc. P.O. Box 110 Route 4032 Shenandoah, PA 17976-0110	West Mahanoy Township Schuylkill County	NERO
3674401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	The York Water Co. 130 E Market Street York, PA 17401-1219	West Donegal Township Lancaster County	SCRO
NOEXNE015	No Exposure Certification	Issued	Acton Tech Inc. 100 Thompson Street Pittston, PA 18640	Jenkins Township Luzerne County	NERO
NOEXNW018	No Exposure Certification	Issued	Barnes Group Inc. d/b/a Assoc Spring 226 S Center Street Corry, PA 16407-1935	Corry City Erie County	NWRO
NOEXNW107	No Exposure Certification	Issued	Controlled Molding Inc. 3043 Perry Highway Hadley, PA 16130-1923	Perry Township Mercer County	NWRO
NOEXSC412	No Exposure Certification	Issued	Recoil LLC 280 North East Street York, PA 17402	York City York County	SCRO
NOEXSE367	No Exposure Certification	Issued	Frontida Biopharm LLC 7722 Dungan Road Phila, PA 19111-2779	Philadelphia City Philadelphia County	SERO
NOEXSW244	No Exposure Certification	Issued	Emerson Proc Management Power & Water Solutions Inc. 200 Beta Drive Pittsburgh, PA 15238-2918	Ohara Township Allegheny County	SWRO
NOEXSW249	No Exposure Certification	Issued	Ametek Inc. 150 Freeport Road Pittsburgh, PA 15238-3408	Ohara Township Allegheny County	SWRO
NOEXSW250	No Exposure Certification	Issued	Norse Dairy System 311 Drum Avenue Somerset, PA 15501-3403	Somerset Borough Somerset County	SWRO
PAG030148	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Waste Management PA Inc. 5245 Bleigh Eve Philadelphia, PA 19136	Philadelphia City Philadelphia County	SERO
PAG030255	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Vane Line Bunkering LLC 4925 Ft Mifflin Road City Dock Phila, PA 19153	Philadelphia City Philadelphia County	SERO
PAG030264	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Tforce Freight Inc. 1000 Semmes Avenue Richmond, VA 23224-2246	Bensalem Township Bucks County	SERO
PAG030307	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Reladyne Inc. 1020 Louis Drive Warminster, PA 18974-2822	Warminster Township Bucks County	SERO
PAG032291	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Reynmil Inc. 194 Summer Hill Road Schuylkill Haven, PA 17972-9083	Wayne Township Schuylkill County	NERO

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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>
PAG032342	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Fabcon Precast LLC 1200 Morea Road Mahanoy City, PA 17948	Mahanoy Township Schuylkill County	NERO
PAG032422	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Rock Hard Stone Inc. 1202 Marshwood Road Scranton, PA 18512	Bridgewater Township Susquehanna County	NERO
PAG032425	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	M & R Motors 4516 W Mountain View Drive Walnutport, PA 18088-9448	Walnutport Borough Northampton County	NERO
PAG033608	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	American Colloid Co. 600 Lincoln Street York, PA 17401-3317	York City York County	SCRO
PAG033639	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Loves Travel Stops & Country Stores Inc. P.O. Box 26210 Oklahoma City, OK 73126-0210	Union Township Lebanon County	SCRO
PAG033763	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Laurel Recycling Ephrata Recycling 339 E Fulton Street Ephrata, PA 17522-2421	Ephrata Township Lancaster County	SCRO
PAG033880	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Target Corp 3001 Archer Drive Chambersburg, PA 17202-7736	Guilford Township Franklin County	SCRO
PAG033898	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Petermann Northeast LLC 2601 Navistar Drive Lisle, IL 60532-3679	Mount Joy Township Lancaster County	SCRO
PAG034015	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	RH Sheppard Co. Inc. 101 Philadelphia Street Hanover, PA 17331-2038	Hanover Borough York County	SCRO
PAG034905	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Helmerich & Payne International Drilling Co. 460 S Drive M Roper Parkway Bullard, TX 75757	Boggs Township Centre County	NCRO
PAG034938	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Johnson Quarries Inc. P.O. Box 136 Le Raysville, PA 18829-0136	LeRaysville Borough Bradford County	NCRO
PAG036143	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Lee Concrete Products 648 Seanor Road Windber, PA 15963-7204	Paint Township Somerset County	SWRO
PAG036531	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Lanxess Corp 3499 Grand Avenue Pittsburgh, PA 15225-1507	Neville Township Allegheny County	SWRO
PAG036536	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Darling Ingredients Inc. 275 Alisa Street Somerset, PA 15501-7763	Somerset Township Somerset County	SWRO
PAG036539	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Interstate Chemicals Co. Inc. 725 State Street Rt 68 Vanport, PA 15009-9504	Vanport Township Beaver County	SWRO

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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>
PAG036570	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Accutrex Products Inc. 112 Southpointe Boulevard Canonsburg, PA 15317-9559	Chartiers Township Washington County	SWRO
PAG036571	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Berwind Coal Sales Co. 509 15th Street Windber, PA 15963-1658	Shade Township Somerset County	SWRO
PAG038318	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Winland Foods Inc. 11160 Parkway Drive North East, PA 16428-6512	North East Borough Erie County	NWRO
PAG038518	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FMC Tech Measurement Solutions Inc. 1602 Wagner Avenue Erie, PA 16510-1444	Erie City Erie County	NWRO
PAG038532	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Blair Strip Steel Co. 1209 Butler Avenue New Castle, PA 16101-4369	New Castle City Lawrence County	NWRO
PAG040114	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Fowler Adam 31 Timber Lane Thornton, PA 19373-1050	Thornbury Township Delaware County	SERO
PAG041262	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Peggy and Thad Willsie 101 Chapman Road Warren, PA 16365-4305	Glade Township Warren County	NWRO
PAG041292	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Jeremy and Tanya Card 811 Stillwater Road Sugar Grove, PA 16350-4027	Sugar Grove Township Warren County	NWRO
PAG046476	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	McVicker Kevin 223 Wilpen Road Ligonier, PA 15658-2409	Ligonier Township Westmoreland County	SWRO
PAG130140	PAG-13 NPDES General Permit for MS4s	Issued	Downingtown Borough 4 W Lancaster Avenue Downingtown, PA 19335-2825	Downingtown Borough Chester County	SERO
PAG136372	PAG-13 NPDES General Permit for MS4s	Waived	Glen Osborne Borough P.O. Box 97 601 Thorn Street Sewickley, PA 15143	Glen Osborne Borough Allegheny County	SWRO
0110402	Pump Stations Individual WQM Permit	Issued	Cumberland Township Authority 1370 Fairfield Road Gettysburg, PA 17325-7267	Cumberland Township Adams County	SCRO
0290405	Sewer Extensions Individual WQM Permit	Issued	Fox Chapel Borough 401 Fox Chapel Road Pittsburgh, PA 15238-2225	Fox Chapel Borough Allegheny County	SWRO
2223404	Sewer Extensions Individual WQM Permit	Issued	Lower Swatara Township Municipal Authority 1499 Spring Garden Drive Middletown, PA 17057-3271	Lower Swatara Township Dauphin County	SCRO
7339	Sewer Extensions Individual WQM Permit	Issued	Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15901-2630	Westmont Borough Cambria County	SWRO

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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>
09018-S	Sewer Extensions Individual WQM Permit	Issued	Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15901-2630	Westmont Borough Cambria County	SWRO
PA0087530	Single Residence STP Individual NPDES Permit	Issued	McAnulty Paul 3651 Waggoners Gap Road Carlisle, PA 17015-9540	North Middleton Township Cumberland County	SCRO
PA0222682	Single Residence STP Individual NPDES Permit	Issued	Maley Leasa A 6118 Maley Drive Limestone, NY 14753-9730	Corydon Township McKean County	NWRO
PA0240010	Single Residence STP Individual NPDES Permit	Issued	Paul L Labrie 112 Wetmore Trail Kane, PA 16735-2218	Hamilton Township McKean County	NWRO
PA0261793	Single Residence STP Individual NPDES Permit	Issued	Kauffman Laura Lee and Kauffman William S 110 Union Hall Road Carlisle, PA 17013-8391	North Middleton Township Cumberland County	SCRO
PA0272647	Single Residence STP Individual NPDES Permit	Issued	J Thomas and Karen L Chatham P.O. Box 242 Polk, PA 16342-0242	Frenchcreek Township Venango County	NWRO
6215406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Peggy and Thad Willsie 101 Chapman Road Warren, PA 16365-4305	Glade Township Warren County	NWRO
PA0035670	Small Flow Treatment Facility Individual NPDES Permit	Issued	PA DOT Maintenance & Operations Bureau Bureau of Maintenance & Operations 400 North Street 6th Floor Harrisburg, PA 17120	Kiskiminetas Township Armstrong County	NWRO
PA0217794	Small Flow Treatment Facility Individual NPDES Permit	Issued	Camman Ind. 111 Strawcutter Road Derry, PA 15627-3615	Derry Township Westmoreland County	SWRO
WQG01652402	WQG-01 WQM General Permit	Issued	McVicker Kevin 223 Wilpen Road Ligonier, PA 15658-2409	Ligonier Township Westmoreland County	SWRO
1524401	WQG-02 WQM General Permit	Issued	PA American Water Co. 100 Cheshire Court Suite 104 Coatesville, PA 19320	Sadsbury Township Chester County	SERO

**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>
PAC390073	PAG-02 General Permit	Issued	Epernay Limited Partnership, LP c/o Dennis Benner 2005 City Line Road Suite 106 Bethlehem, PA 18107	Upper Saucon Township Lehigh County	Lehigh County Conservation District Lehigh County AG Center Suite 105 4184 Dorney Park Road Allentown, PA 18104-5728 610-391-9583 RA-EPWW-NERO@ 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>
PAC230103 A-1	PAG-02 General Permit	Issued	Estates at Coventry Woods, LP 1604 Walnut Street 4th Floor Philadelphia, PA 19103	Springfield 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
PAC390168 A-1	PAG-02 General Permit	Issued	Air Products and Chemicals, Inc. c/o Thomas Trexler 1940 Air Products Blvd. Allentown, PA 18106	Hanover Township Lehigh County	Lehigh County Conservation District Lehigh County AG Center Suite 105 4184 Dorney Park Road Allentown, PA 18104-5728 610-391-9583 RA-EPWW-NERO@ pa.gov
PAC540150	PAG-02 General Permit	Issued	Jeremy Huhn 430 Coal Mountain Road Orwigsburg, PA 17961	West Brunswick Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC510317	PAG-02 General Permit	Issued	4050 Conshohocken LLC 3705 Falls Circle Philadelphia, PA 19129	City of Philadelphia Philadelphia County	DEP, SERO 2 E. Main Street Norristown, PA 19401 484-250-5821 RA-EPNPDES_SERO@ pa.gov
PAC070120	PAG-02 General Permit	Issued	Pleasant View Farms 261 Pleasant View Farms Road Martinsburg, PA 16662	Taylor Township North Woodbury Township Blair County	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877
PAC360812	PAG-02 General Permit	Issued	Core5 at I-283, LLC 1230 Peachtree Street, N.E. Suite 3560 Atlanta, GA 30309	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360470 A-2	PAG-02 General Permit	Issued	Stephen Esh 203 N. Ronks Road Ronks, PA 17572	Leacock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360861	PAG-02 General Permit	Issued	Fred Johnston Arsenal Building 1800 Herr Street Harrisburg, PA 17103	City of Lancaster Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361



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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>
PAC360918	PAG-02 General Permit	Issued	PPL Electric Utilities Corporation 1639 Church Road Allentown, PA 18104	East Lampeter Manheim Upper Leacock Warwick West Earl Townships Lancaster City Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360882	PAG-02 General Permit	Issued	Jura, Inc. 134 Shellyland Road Building 6A Manheim, PA 17545	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360887	PAG-02 General Permit	Issued	B&E Property Management Ltd 581 Camargo Road Quarryville, PA 17566	Providence Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC670309	PAG-02 General Permit	Issued	Stonewick LP 160 Ram Drive Hanover, PA 17331	Penn Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670278	PAG-02 General Permit	Issued	Rexroth Equities LP 207 Redco Avenue Suite 1A Red Lion, PA 17356	Windsor Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670659	PAG-02 General Permit	Issued	Wrightsville Borough 601 Water Street P.O. Box 187 Wrightsville, PA 17369	Wrightsville Borough York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670233	PAG-02 General Permit	Issued	Burkentine Shop LLC 1454 Baltimore Street Hanover, PA 17331	Penn Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC540133	PAG-02 General Permit	Issued	Thomas Meager 2324 Second St. Newtown, PA 18940	West Mahanoy Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742 RA-EPWW-NERO@ 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>
PAC460851	PAG-02 General Permit	Issued	Methacton School District 1001 Krebel Mill Road Eagleville, PA 19403-2252	Lower Providence Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC460778	PAG-02 General Permit	Issued	Audubon Land Development 2620 Egypt Road Norristown, PA 19403-2302	Lower Providence Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC460353	PAG-02 General Permit	Denied	Audubon Land Development 2620 Egypt Road Norristown, PA 19403-2302	Lower Providence Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x 10 RA-EPNPDES_SERO@ pa.gov
PAC280344	PAG-02 General Permit	Issued	Brinton Byers 5371 Lemar Road Mercersburg, PA 17236	Peters Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAD280019	PAG-02 General Permit	Issued	Infrastructure and Energy Alternatives 6325 Digital Way Suite 460 Indianapolis, IN 46278	Fannett Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC280343	PAG-02 General Permit	Issued	Washington Township Vernon Ashway 11798 Buchanan Trail East Waynesboro, PA 17268	Washington Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
PAC210344	PAG-02 General Permit	Issued	Pennsylvania Turnpike Commission (PTC) 700 S Eisenhower Blvd Middletown, PA 17057	Upper Allen Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210337	PAG-02 General Permit	Issued	American Legion Post 751 295 Shady Lane Enola, PA 17025	East Pennsboro Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210340	PAG-02 General Permit	Issued	Cumberland Valley School District 6746 Carlisle Pike Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812

## NOTICES

1403

<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>
PAC210121	PAG-02 General Permit	Issued	Mt. Zion Associates, LP 3400 Gateway Drive Pompano Beach, FL 33069	Hampden Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210319A-1	PAG-02 General Permit	Issued	J.C. Bar Development 224 St. Charles Way York, PA 17402	Hampden Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC210323	PAG-02 General Permit	Issued	Shippensburg Dev, LLC 301 Route 17 North Ste 802 Rutherford, NJ 07070	Shippensburg Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
PAC250205	PAG-02 General Permit	Issued	Diamond Design Development LLC 2503 Peach Street Suite A Erie, PA 16502	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC330048	PAG-02 General Permit	Issued	MSP Properties of Pennsylvania LP P.O. Box 1567 Beaver Falls, PA 15010	Brookville Borough Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC630294	PAG-02 General Permit	Issued	Graziani Family, LP 1028 Skyline Drive Canonsburg, PA 15317	Cecil Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC630308	PAG-02 General Permit	Issued	Apex North America, Inc 65 Washington Street Donora, PA 15033	Donora Borough Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC630127A-1	PAG-02 General Permit	Issued	CVL Partners, LP P.O. Box 273 Atlasburg, PA 15004	Mount Pleasant Borough Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC580030	PAG-02 General Permit	Issued	Adam Diaz Diaz Family Limited Partnership 7686 SR 167 Kingsley, PA 18826	Bridgewater Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105 RA-EPWW-NERO@ pa.gov

Permit Number	Permit Type	Action Taken	Applicant Name & Address	Municipality, County	Office
PAC330047	PAG-02 General Permit	Issued	Sykesville Borough 21 East Main Street Sykesville, PA 15865	Sykesville Borough 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>
Shawn Martin 146 Greble Road Myerstown, PA 17067	Berks County Lebanon County	149	321.38	Broiler Sheep	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 Bellows, Clerical Assistant II, 570-327-0551.

**Construction Permit No. 1424503**, Major Amendment, Public Water Supply.

Applicant	<b>PA American Water— Philipsburg</b>
Address	852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Boggs Township
County	<b>Clearfield County</b>
Consulting Engineer	Garret J Hargenrader 3121 Fairway Drive Altoona, PA 16602
Application Received	January 8, 2024
Permit Issued	February 27, 2024
Description	This permit authorizes construction of two new booster pump stations (known as SR 322 BPS and Spring Valley BPS) and approximately 10,500 LF of waterline to simultaneously supply residential demands and fill the Spring Valley Tanks.

**Construction Permit No. 1424504**, Major Amendment, Public Water Supply.

Applicant	<b>Kearns Campground</b>
Address	137 Kearns Road Spring Mills, PA 16875
Municipality	Potter Township and Spring Mills
County	<b>Centre County</b>
Consulting Engineer	Charles A Kehew II 18 South George Street Suite 300 York, PA 17401
Application Received	January 12, 2024
Permit Issued	March 4, 2024
Description	This permit approves upgrades to the existing Kearns Campground transient noncommunity water system. The existing water system includes Well No. 1, disinfection facilities, a hydropneumatic tank, two 120-gallon detention tanks, and the distribution system. Proposed modifications include installation of a flow meter, upgraded flow-paced disinfection facilities, two additional 120-gallon detention tanks, a 12-gpm flow restrictor, and verification of 4-log inactivation of viruses.

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

Contact: Darin Horst, Environmental Engineer, 717-705-4948.

**Construction Permit No. 3623534**, Major Amendment, Public Water Supply.

Applicant	<b>Rosies Property Management, LLC</b>
Address	827 Lancaster Pike Quarryville, PA 17566
Municipality	East Drumore Township
County	<b>Lancaster County</b>
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA 17401
Application Received	July 25, 2023
Permit Issued	January 30, 2024
Description	Replacement of the softener and nitrate treatment, and addition of a neutralizer and ultraviolet unit.

**Operation Permit No. 7361001**, Public Water Supply.

Applicant	<b>Rosies Property Management, LLC</b>
Address	827 Lancaster Pike Quarryville, PA 17566
Municipality	East Drumore Township
County	<b>Lancaster County</b>
Consulting Engineer	DSBJ Enterprises LLC 515 2nd Lock Road Lancaster, PA 17603
Application Received	January 16, 2024
Permit Issued	January 30, 2024
Description	Transfer of all public water supply permits for PWS ID No. 7361001 from DSBJ Enterprises LLC (Papa Joe's Pizza) to Rosies Property Management LLC (Eagle Cafe).

**Operation Permit No. 7366413**, Public Water Supply.

Applicant	<b>H2O to Go, Inc.</b>
Address	12 East Elizabeth Street Maytown, PA 17550
Municipality	Palmyra Borough
County	<b>Dauphin County</b>
Application Received	December 7, 2023
Permit Issued	February 13, 2024
Description	Removal of Entry Points No. 168 and 170 for H <sub>2</sub> O to Go, Inc.

**Construction Permit No. 3623548 MA**, Minor Amendment, Public Water Supply.

Applicant	<b>Warwick Township Municipal Authority</b>
Address	315 Clay Road P.O. Box 336 Lititz, PA 17543
Municipality	Warwick Township
County	<b>Lancaster County</b>

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

Application Received November 15, 2023

Permit Issued February 15, 2024

Description Construction of the 1.0 million-gallon Newport Road finished water storage tank with active mixer, modifications to existing Grant Street and Brookfield Road interconnects with Lititz Borough (PWS ID No. 7360126).

**Operation Permit No. 5020506**, Public Water Supply.

Applicant **Newport Borough Water Authority**

Address 497 North Front Street  
Newport, PA 17074

Municipality Howe Township

County **Perry County**

Consulting Engineer Barton & Loguidice, D.P.C.  
3901 Hartzdale Drive  
Suite 101  
Camp Hill, PA 17011

Application Received February 12, 2024

Permit Issued February 20, 2024

Description Operation of the replacement gaseous chlorine disinfection equipment, aeration tank, and removal of greensand filtration at the Howe Treatment Plant.

**Construction Permit No. 2823513**, Major Amendment, Public Water Supply.

Applicant **Antrim Township Municipal Authority**

Address 10655 Antrim Church Road  
P.O. Box 130  
Greencastle, PA 17225

Municipality Antrim Township

County **Franklin County**

Consulting Engineer Glace Associates, Inc.  
3705 Trindle Road  
Camp Hill, PA 17011

Application Received November 9, 2023

Permit Issued February 27, 2024

Description Well No. 3, 4-log treatment of viruses, 246,000-gallon finished water storage tank with mixer, and booster pumps.

**Construction Permit No. 3623535**, Major Amendment, Public Water Supply.

Applicant **Omas Family Campground**

Address 825 Sparrow Lane  
Bear, DE 19701

Municipality Colerain Township

County **Lancaster County**

Consulting Engineer Evans Mill Environmental, LLC  
101 Fellowship Road  
Uwchland, PA 19480

Application Received August 3, 2023

Permit Issued February 27, 2024

Description Installation of chlorine contact tanks, demonstration of 4-log treatment of viruses, and caustic soda for corrosion control.

**Operation Permit No. 5020506**, Public Water Supply.

Applicant **Newport Borough Water Authority**

Address 497 North Front Street  
Newport, PA 17074

Municipality Howe Township

County **Perry County**

Consulting Engineer Barton & Loguidice, D.P.C.  
3901 Hartzdale Drive  
Suite 101  
Camp Hill, PA 17011

Application Received February 23, 2024

Permit Issued February 29, 2024

Description Operation of the replacement gaseous chlorine disinfection equipment, radon removal system, zinc orthophosphate addition, caustic soda addition, SCADA controls, and removal of greensand filtration at the Howe Treatment Plant.

**Operation Permit No. 3620537**, Public Water Supply.

Applicant **Weaverland Valley Authority**

Address 4610 Division Highway  
East Earl, PA 17519

Municipality East Earl Township

County **Lancaster County**

Consulting Engineer Becker Engineering, LLC  
525 Greenfield Road  
Suite 201  
Lancaster, PA 17601

Application Received February 23, 2024

Permit Issued March 1, 2024

Description Partial operation permit for operation of replacement fire service pump discharge piping.

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh Rivers, Clerical Assistant, 484-250-5887.*

**Construction Permit No. 4623520**, Major Amendment, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**

Address 762 W. Lancaster Avenue  
Bryn Mawr, PA 19010-3402

Municipality Upper Providence Township

County **Montgomery County**

Consulting Engineer Mott MacDonald  
111 Wood Avenue  
South Iselin, NJ 08830-4112

Application Received November 15, 2023

Permit Issued February 23, 2024

Description Addition of an anion exchange with prefiltration system at the Perkiomen Woods Well Station for the removal of PFAS.

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

*Contact: Nadera Bellows, Clerical Assistant II, 570-327-0551.*

**Operation Permit 1424501MA.** PWSID No. **4140107.** **Gregg Township Water Authority**, P.O. Box 165, Spring Mills, PA 16875, Gregg Township, **Centre County**. Application received: January 8, 2024. Permit Issued: February 27, 2024. This permit authorizes the abandonment of Fireman's Spring raw water source, installation of one IFE turbidimeter, and one entry point actuated valve, integrating turbidimeters, chlorine analyzers, and entry point actuated valve into the existing SCADA system for alarm and shut down capabilities.

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

*Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.*

**Construction Permit 7670841.** PWSID No. **7670841.** **Pleasant View Church**, 10384 Winterstown Rd, Red Lion, PA 17326, North Hopewell Township, **York County**. Application received: August 28, 2023. Permit Issued: March 4, 2024. Application for a soda ash feed and existing, unapproved softener was returned on March 4, 2024 because the applicant did not respond to two technical reviews.

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

**Operation Permit 2123515 MA.** PWSID No. **7210029.** **Pennsylvania-American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, Silver Spring Township, **Cumberland County**. Application received: November 28, 2023. Permit Issued: February 28, 2024. Operation permit for filter media depth verification at the Silver Spring Water Treatment Plant.

*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 4560037.** PWSID No. **4560037.** **Hooversville Borough**, 50 Main Street, P.O. Box 176, Hooversville, PA 15936, Hooversville Borough, **Somerset County**. Application received: February 27, 2024. Permit Issued: February 27, 2024. Comprehensive Operation Permit for Hooversville Borough

**Operation Permit 0224507.** PWSID No. **5020027.** **Monroeville Municipal Authority**, 219 Speelman Lane, Monroeville, PA 15146, Monroeville Borough, **Allegheny County**. Application received: February 27, 2024. Permit Issued: February 28, 2024. Tank mixing system and repairs to the Boyce Park Tank.

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

*Contact: Susan Wilbur, 717-705-4708.*

**Source Water Protection Program Approval** issued to Williamstown Borough Authority, 8693 Rt. 209, **PWSID 7220037**, Williamstown Borough, **Dauphin County** on February 27, 2024.

#### WATER ALLOCATIONS

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

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh C. Rivers, Clerical Assistant 2, 484-250-5887.*

**WA-09-775B**, Water Allocations. **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976, Warrington Township, **Bucks County**. Bucks County Water & Sewer Authority requested the right to purchase up to 108,000 gpd, based on a 30-day average from Delaware River. Application received: November 29, 2023. Issued: February 29, 2024

#### 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 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Noah Niedererr, Sewage Planning Specialist, 717-705-4768.*

*Plan Location:*

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Lower Frankford Township	1205 Easy Road Carlisle, PA 17013	Cumberland County

*Plan Description:*

**Catherine Nori SFTF, A3-21913-140-3s.** Approval of a revision to the official plan of Lower Frankford Township, **Cumberland County**. The project is known as the Catherine Nori Small Flow Treatment Facility (SFTF) proposal. The plan provides a SFTF to serve a proposed single-family dwelling on 30.4 acres with total estimate sewage flows of 400 gpd. There will be a proposed discharge to Locust Creek. The proposed development is located along Buck Drive, approximately 0.25 mile east of the intersection of Run Road and Buck Drive, in Lower Frankford Township, Cumberland County. The Department's review of the plan revision has not identified any significant impacts resulting from the proposal. The DEP Code Number for the planning module is A3-21913-140-3s and the APS ID is 1106834. Any permits must be obtained in the name of the property owner.

#### BIOSOLIDS INDIVIDUAL PERMITS (PABIG, SSN AND PABIS)

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 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.

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

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 717-787-3483 for more information.

## **HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988**

### **NOTICE OF PROMPT INTERIM RESPONSE**

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

*Contact: Dennis Low, 717-705-4853.*

### **Newberry Township PFC Site, Newberry and Fairview Townships, York County, Pennsylvania.**

The Pennsylvania Department of Environmental Protection (DEP), under the authority of the Hazardous Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101—6020.1305, has initiated a prompt interim response at the Newberry Township PFC site (Site). Specifically, this prompt interim response has been initiated pursuant to Sections 501(a) and 505(b) of the HSCA, 35 P.S. §§ 6020.501(a) and 6020.505(b). Notice of this action was initially published in the *Pennsylvania Bulletin* on December 30, 2023, and a corresponding public hearing was scheduled for February 13, 2024. See 50 Pa.B. 8131 (Dec. 30, 2023). However, due to the weather-related cancellation of the previously scheduled public hearing, DEP has opted to republish notice of this action, extend the public comment period an additional ninety (90) days from the publication of this notice, and reschedule the public hearing.

The Site is located in Newberry and Fairview Townships, **York County**. Groundwater serving a number of residential and commercial wells and springs in the area of Newberry and Fairview Townships is contaminated with Per- and Polyfluoroalkyl Substances (PFAS), a large class of man-made synthetic chemicals. The Site includes a mix of residential, commercial, and light-industrial properties. Public-water supply is interspersed through-

out much of the Site. At the present time, the source(s) and extent of PFAS contamination has not been identified or determined.

On January 14, 2023, the Pennsylvania Environmental Quality Board amended Section 202 of the Drinking Water Regulations, 25 Pa. Code § 109.202, and established maximum contaminant level goals (MCLGs) and maximum contaminant levels (MCLs) for Perfluorooctanoic acid (PFOA) and Perfluorooctanesulfonic acid (PFOS). MCLs for PFOA and PFOS were set to 14 and 18 nanograms per liter (ng/L), respectively. See 25 Pa. Code § 109.202(a)(4)(i)—(ii). Exposure to concentrations of PFOA and PFOS above the MCLs pose a threat to human health when ingested in water.

DEP has sampled private, commercial, and public-supply wells, monitor wells, springs, streams, and ponds since 2019 at the Site. From the sample results, DEP confirmed the presence of PFAS in groundwater and surface water. Specifically, thirteen (13) residential/commercial and two (2) public-supply wells/springs were found to contain PFOA and/or PFOS in excess of their respective MCLs. Id.

DEP considered three alternatives:

#### *Alternative 1. No Action.*

This alternative serves as a baseline and involves taking no action to remove, remediate, or contain the contaminated groundwater or reduce threats to human health at the Site. Risks posed by ingestion of water from contaminated private-water supplies would remain.

#### *Alternative 2. Provision of Bottled Water and Institutional Controls.*

This alternative provides for DEP to furnish commercial bottled water to impacted residences and businesses. Bottled water would be delivered regularly to each residence and business that has a water-supply contaminated in excess of the PFOA and/or PFOS MCLs throughout the course of the Site investigation. This would reduce the risk posed by ingestion of water containing PFOA and PFAS above the MCLs, and thus provide an increase in protection of human health and the environment. The present annual cost of this alternative for an assumed four-person residence is seven thousand one hundred dollars (\$7,100). In addition, DEP would implement activity and use limitations (AULs) either through environmental covenants or administrative orders. Said environmental covenants or administrative orders would be placed on deed records that would alert new property owners, and prospective property purchasers, of the health risks for continued use of contaminated private water-supplies.

#### *Alternative 3. Installation of Point Of Entry Treatment (POET) Systems and Institutional Controls.*

Under this alternative, POET systems would be installed by DEP at homes and businesses that utilize private-water supply wells or springs impacted by contamination above the established MCLs for PFOA and PFOS. DEP will provide bottled water until the POET systems are installed. Once installed, DEP will provide for the continuing operation and maintenance (O&M) of the POET systems throughout the course of the Site investigation. Should this alternative be selected as a final response action, then property owners would be responsible for continued O&M activities. In addition, DEP would implement AULs, either through environmental covenants or administrative orders placed on deed records, that would alert new property owners, and



prospective property purchasers, of the health risks for continued use of contaminated private water-supplies. Notification will also be placed on deed records that would indicate that DEP has installed a POET system in order to mitigate potential threat to human health from the contaminated water-supply.

This alternative will be protective of human health and will comply with the applicable requirement that ground water utilized for drinking-water use will comply the PFOA and PFOS MCLs. See 25 Pa. Code § 109.202(a)(4)(i)–(ii). The exhausted or “spent” carbon will be removed for regeneration or disposal in accordance with applicable regulations.

Initial installation of a POET system is estimated to cost six thousand dollars (\$6,000) per unit. Annual carbon change out and UV-light replacement is estimated at one thousand five hundred dollars (\$1,500). Annual sampling and analytical monitoring costs are estimated at one thousand dollars (\$1,000) per system.

DEP has selected Alternative 3 as the prompt interim response. Bottled water will be delivered for residences and businesses that exceed the PFOA and/or PFOS MCLs until a POET can be installed on the wells at the impacted properties. These systems will be monitored and maintained by DEP until further notice.

DEP is providing notice of this action under HSCA Sections 505(b) and 506(b), 35 P.S. §§ 6020.505(b) and 6020.506(b). The public comment period on this action, and its attendant administrative record, will extend an additional ninety (90) days from the publication date of this notice, to June 14, 2024. The administrative record, which contains information about this Site and supports DEP’s decision to perform this action, is available for public review and comment. The administrative record can be examined Monday through Friday, from 8:00 AM to 3:00 PM, at the DEP’s South Central Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting Mr. Dennis Low at 717-705-4853. The Administrative Record can also be reviewed online at: <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Community%20Information/Pages/Newberry-Township-PFC-Site.aspx>. Persons may submit written comments regarding this action to the Department by mailing them to Mr. Low at the DEP South Central Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200 or email to [delow@pa.gov](mailto:delow@pa.gov), by June 14, 2024.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing that has been rescheduled for April 17, 2024 at 6:30 PM at Cross Roads Middle School Auditorium, 535 Fishing Creek Road, Lewisberry, PA. Persons wishing to present formal oral comment at the hearing should register before 4:00 PM, April 17, 2024 by calling John Repetz at 717-705-4904. There will be an informational presentation on DEP’s activities at the Site prior to the public hearing.

If no person registers to present oral comments, by April 17, 2024 the hearing will not be held, but will be replaced with an informational meeting. Persons interested in finding out if anyone has registered, and if the hearing will be held, should also contact John Repetz at the number previously listed.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should call John Repetz at the previously listed number or through the Pennsylvania Hamilton Relay Service at

1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101–6026.908).**

Provisions of Sections 301–308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301–6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act’s remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

The Department has received the following plans and reports.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.*

**Kingsley Unit Pad B**, Primary Facility ID # **873802**, 312 Marqies Way, New Albany, PA 18833, Monroe Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with lube oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Shumhurst BRA Well Pad**, Primary Facility ID # **870184**, 3529 Spring Hill Road, Wyalusing, PA 18853,

Tuscarora Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Cornwall Mountain 1-8H Unconventional Well Site**, Primary Facility ID # **873643**, 601 Breeding Flat Road, Trout Run, PA 17771, Lewis Township, **Centre County**. Moody and Associates, Inc., 101 N. Main Street, Suite 3, Athens, PA 18810, on behalf of Range Resources—Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Inflection Energy (PA) LLC Reynolds Produced Fluid Release**, Primary Facility ID # **873675**, 1109 Caleb Creek Road, Cogan Station, PA 17729, Gamble Township, **Lycoming County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of Inflection Energy (PA), LLC, 145 Choate Circle, Montoursville, PA 17754, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

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

**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 MTBE, 1,2,4-trimethylbenzene (1,2,4-TMB), and 1,3,5-TMB. The Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

**3111 Grays Ferry Avenue**, Primary Facility ID # **848277**, 3111 Grays Ferry Avenue, Philadelphia, PA 19146, City of Philadelphia, **Philadelphia County**. Craig Herr, Liberty Environmental, Inc., 315 West Street, Suite 205, Lancaster, PA 17603, on behalf of Paul Frank, 3111 Grays Ferry, LLC, 2141 Downyflake Lane, Suite 400, Allentown, PA 18103, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of groundwater contaminated with VOCs, SVOCs and metals. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**446 & 456-588 Swedeland Road**, Primary Facility ID # **857032**, 446 and 456-588 Swedeland Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Thomas Allman, EQT Exeter, 100 Matsonford Road, Building 5, Suite 250, Radnor, PA 19087, on behalf of Glennon Graham, Jr. August Mack Environmental, Inc., 806 Fayette Street, Conshohocken, PA 19428, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contami-

nated with BTEX, cumene, MTBE, 1,2,4-TMB, 1,3,5-TMB, lead and PAHs. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**901 North 9th Street**, Primary Facility ID # **856326**, 901 North 9th Street, Philadelphia, PA 19123, City of Philadelphia, **Philadelphia County**. Stephen D. Brower, PG, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Elise Halter, Post Quaker Property Owner, LLC, 1021 North Hancock Street, Suite 1, Philadelphia, PA 19123, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil contaminated with solvents. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**2029-2059 York Road**, Primary Facility ID # **850612**, 2029-2059 York Road, Jamison, PA 18929, Warwick Township, **Bucks County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Bill Creeger, Pulte Homes of PA LP, 750 US Highway 202, Suite 500, Bridgewater, NJ 08807, submitted a Final Report concerning remediation of soil and groundwater contaminated with lead, arsenic, the pesticide dieldrin, and No. 2 and No. 6 fuel oil. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**Romill Associates, LP**, Primary Facility ID # **844303**, 1312 Ridge Pike, Conshohocken, PA 19428, Plymouth Township, **Montgomery County**. Michael Kern, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Charles J. Miller, MMCO Auto LLC, 1312 Ridge Pike, Conshohocken, PA 19428, submitted a Cleanup Plan concerning remediation of soil and groundwater contaminated with benzene, methyl tertiary butyl ether (MTBE), tetrachloroethene (PCE), and trichloroethene (TCE). The Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

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

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Leatherwood WL Hopkins Well Pad**, Primary Facility ID # **873457**, 264 Hopkins Run Road, Sycamore, PA 15364, Morris Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Leatherwood LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Penneco Pettit # 6 Well Pad**, Primary Facility ID # **870458**, 321 Shelleby Road, Holbrook, PA 15341, Richhill Township, **Greene County**. Woodard & Curran, 400 Penn Center Boulevard, Suite 600, Pittsburgh, PA 15235, on behalf of Penneco Oil Company, Inc., 6608 Route 22, Delmont, PA 15626, submitted a Final Report concerning remediation of soil contaminated with acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, biphenyl, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, 2-methylaphthalene, phenanthrene, pyrene, benzene, sec-butyl-

benzene, tert-butylbenzene, cyclohexane, ethylbenzene, isopropyl benzene (cumene), naphthalene, toluene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, xylene, and phenolics. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Duquesne Electric & Manufacturing Co**, Primary Facility ID # **861363**, 475 Butler Street, Pittsburgh, PA 15223, Etna Borough, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668, on behalf of Duquesne Electric & Manufacturing Co., 475 Butler Street, Pittsburgh, PA 15223, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with PCBs, metals, and chlorinated VOCs. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

The DEP has received the following plans and reports.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.*

**Sandy Ridge Wind Farms O & M Building**, Primary Facility ID # **868744**, 140 Big Fill Run, Tyrone, PA 16686, Taylor Township, **Centre County**. Keystone Environmental Health & Safety Services Inc., 1111 12th Avenue, Altoona, PA 16601, on behalf of Sandy Ridge Wind LLC, 140 Big Fill Run, Tyrone, PA 16686, submitted a Final Report concerning remediation of soil contaminated with hydraulic oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 28, 2024.

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

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

**Corona Corporation**, Primary Facility ID # **805973**, 820 Main Street, Red Hill, PA 18076, Red Hill Borough, **Montgomery County**. Andrew K. Markoski, PG, Patriot Environmental Management, LLC, 2404 Brown Street, Philadelphia, PA 19464, on behalf of Betty Gerlach, c/o Harriet R. Litz, Esq, 598 Main Street, P.O. Box 24, Red Hill, PA 18076, submitted a Final Report concerning remediation of soil contaminated with trichloroethylene, benzene, toluene, ethylbenzene, xylenes, isopropyl benzene, naphthalene, 1,2,4- and 1,3,5- trimethylbenzene and cis-1,2-dichloroethylene, and a non-residential site-specific standard in groundwater for trichloroethylene, tetrachloroethylene, cis-1,2-dichloroethylene, vinyl chloride and 1,2,4-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: February 6, 2024.

**Raleigh Mill Roeper Facility**, Primary Facility ID # **840813**, 1617-35 North 5th Street, Philadelphia, PA 19122, City of Philadelphia, **Philadelphia County**. Kevin J. Davis, PE, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Lawrence McKnight, PE, The Riverwards Group, 320 Richmond Street, Philadelphia, PA 19134, submitted a Risk Assessment/Final Report concerning remediation of soil and groundwater contaminated with VOCs, SVOCs and metals. The Final Report demonstrated attainment of the site-specific standards. Approved: February 6, 2024.

**2636 East York Street**, Primary Facility ID # **854895**, 2636 East York Street, Philadelphia, PA 19122, City of Philadelphia, **Philadelphia County**. Kevin J. Davis, PE, 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 Final Report concerning

remediation of soil and groundwater contaminated with metals. The Final Report demonstrated attainment of the site-specific standards. Approved: February 9, 2024.

**Philadelphia Energy Solutions Refinery**, Primary Facility ID # **780190**, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Philadelphia Energy Solutions Refinery, 3144 Passyunk Avenue, Philadelphia, PA 19145, on behalf of Colleen Costello, Sanborn, Head & Associates, Inc., 755 Business Center Drive, Suite 110, Horsham, PA 19044, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with lead and petroleum hydrocarbons. The Report demonstrated attainment of the site-specific standards. Approved: February 9, 2024.

**640 North Lewis Road and 155 South Limerick Road—Turtle Creek North Zone**, Primary Facility ID # **864073**, 640 North Lewis Road and 155 South Limerick Road, Limerick, PA 19468, Limerick Township, **Montgomery County**. David Kistner, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of Susan Salinas, Teleflex, Inc., 3085 Old Conejo Road, Newbury Park, CA 91320, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of groundwater contaminated with VOCs. The Report demonstrated attainment of the site-specific standards. Approved: February 12, 2024.

**Inlox Chemical Company**, Primary Facility ID # **619750**, 2101 South Swanson Street, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. David Farrington, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19328, on behalf of David Newman, NDA Swanson, LLC, 601 Gates Road, Suite 1, Vestal, NY 13850, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with PFAS. The Report demonstrated attainment of the site-specific standards. Approved: February 9, 2024.

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

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Former Horsehead Corp Facility**, Primary Facility ID # **782002**, 300 Frankfort Road, Monaca, PA 15061, Potter Township, **Beaver County**. Environmental Resources Management, Inc., 75 Valley Stream Parkway, Suite 200, Malvern, PA 19355, on behalf of Shell Chemical Appalachia, LLC, 300 Frankfort Road, Monaca, PA 15061, submitted a Final Report concerning remediation of soil and groundwater contaminated with Beryllium, chromium, copper, silver, aroclor, 1016, aroclor, 1221, aroclor, 1232, aroclor, 1242, aroclor, 248, aroclor, 1254, aroclor, 1260, 1,2,4,5-tetrachlorobenzene, 1,2,4-trichlorobenzene, 1,2-dichlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 2,2-oxybis(1-chloropropane), 2,3,4,6-tetrachlorophenol, 2,4,5-trichlorophenol, 2,4,6-trichlorophenol, 2,4-dichlorophenol, 2,4-dimethylphenol, 2,4-dinitrophenol, 2,4-dinitrotoluene, 2,6-dinitrotoluene, 2-chloronaphthalene, 2-chlorophenol, 2-methylnaphthalene, 2-nitroaniline, 2-nitrophenol, 3-methylphenol, 3-nitroaniline, 3,3'-dichlorobenzidine, 4-methylphenol, 4-chloro-3-methylphenol, 4-nitrophenol, ace-naphthene, acenaphthylene, acetophenone, anthracene, atrazine, benzo(a)anthracene,

benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, benzyl, butyl phthalate, bis(2-chloroethoxy)methane, bis(2-ethylhexyl)phthalate, carbazole, chrysene, dibenzo(a,h)anthracene, dibenzofuran, dibutyl phthalate, dichloroethyl, ether, diethyl phthalate, dinitro-o-cresol, di-n-octylphthalate, fluoranthene, fluorene, hexa-chlorobenzene, hexachlorobutadiene, hexachlorocyclopentadiene, hexachloroethane, indeno(1,2,3-cd)pyrene, isophorone, naphthalene, nitrobenzene, n-nitrosodi-n-propylamine, n-nitrosodiphenylamine, o-cresol, p-chloroaniline, pentachlorophenol, phenanthrene, phenol, p-nitroaniline, pyrene, 1,1,1-trichloroethane, 1,1,2,2-tetrachloroethane, 1,1,2-trichloroethane, 1,1-dichloroethane, 1,1-dichloroethene, 1,2-dichloroethane, 1,2-dichloropropane, 1,4-dioxane, 2-butanone, 2-hexanone, 4-methyl-2-pentanone, acetone, benzene, bromodichloromethane, bromoform, carbon, disulfide, carbon, tetrachloride, chlorobenzene, chlorobromomethane, chloroethane, chloroform, chloromethane, cis-1,2-dichloroethene, cis-1,3-dichloropropene, cumene, cyclohexane, dibromochloromethane, ethylbenzene, methyl, acetate, methyl, bromide, methyl, chloride, methyl, tert, butyl, ether, methylene, chloride, styrene, tetrachloroethene, toluene, trans-1,2-dichloroethene, trichloroethene, vinyl, chloride, xylenes, antimony, arsenic, cadmium, iron, lead, manganese, mercury, nickel, selenium, thallium, and zinc for soil. beryllium, chromium, copper, 1,2,4,5-tetrachlorobenzene, 1,2,4-trichlorobenzene, 1,2-dichloro-enzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 2,2-oxybis(1-chloropropane), 2,3,4,6-tetrachlorophenol, 2,4,5-trichlorophenol, 2,4,6-trichlorophenol, 2,4-dichlorophenol, 2,4-dimethylphenol, 2,4-dinitrophenol, 2,4-dinitrotoluene, 2,6-dinitrotoluene, 2-chloronaphthalene, 2-chlorophenol, 2-methylnaphthalene, 2-nitroaniline, 2-nitrophenol, 3-methylphenol, 3-nitroaniline, 3,3'-dichlorobenzidine, 4-methylphenol, 4-chloro-3-methylphenol, 4-nitrophenol, acenaphthene, acenaphthylene, acetophenone, anthracene, atrazine, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, benzyl butyl phthalate, biphenyl, bis(2-chloroethoxy)methane, bis(2-ethylhexyl)phthalate, carbazole, chrysene, dibenzo(a,h)anthracene, dibenzofuran, dibutyl phthalate, dichloroethyl ether, diethyl phthalate, dinitro-o-cresol, di-n-octyl phthalate, fluoranthene, fluorene, hexachlorobenzene, hexachlorobutadiene, hexachlorocyclopentadiene, hexachloroethane, indeno(1,2,3-cd)pyrene, isophorone, naphthalene, nitrobenzene, n-nitrosodi-n-propylamine, n-nitrosodiphenylamine, o-cresol, p-chloroaniline, pentachlorophenol, phenanthrene, phenol, p-nitroaniline, pyrene, 1,1,1-trichloroethane, 1,1,2,2-tetrachloroethane, 1,1,2-trichloroethane, 1,1-dichloroethane, 1,1-dichloroethene, 1,2-dichloroethane, 1,2-dichloropropane, 1,4-dioxane, 2-butanone, 2-hexanone, 4-methyl-2-pentanone, acetone, benzene, bromodichloromethane, bromoform, carbon disulfide, carbon tetrachloride, chlorobenzene, chlorobromomethane, chloroethane, chloroform, chloromethane, cis-1,2-dichloroethene, cis-1,3-dichloropropene, cumene, cyclohexane, dibromochloromethane, ethylbenzene, methyl acetate, methyl bromide, methyl chloride, methyl tert butyl ether, methylene chloride, styrene, tetrachloroethene, toluene, trans-1,2-dichloroethene, trichloroethene, vinyl chloride, xylenes, aluminum, antimony, arsenic, cadmium, cobalt, iron, lead, manganese, mercury, nickel, selenium, silver, and thallium for soil. The Final Report did not demonstrate attainment of the Statewide health and site-specific standards. Issued a technical deficiency letter: February 6, 2024.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

*Contact: Waste Management Program Manager.*

**WMGR123SW067. Range Resources—Appalachia, LLC, 3000 Town Center Blvd, Canonsburg, PA 15317, Fawn Township, Allegheny County.** A Determination of Applicability for coverage under Residual Waste General Permit No. WMGR123SW067 was issued by the Southwest Regional Office. Range Resources—Appalachia, LLC is proposing to place twenty vertical 350 bbl capacity tanks and associated equipment to act as a water reuse storage facility to be used to support unconventional well completions. The storage facility will include tanks within a secondary containment system, drive-on truck containment system, and transfer pump and will be located at 2801 Lardintown Road, Tarentum, PA 15084. Application received: August 31, 2023. Permit issued: February 22, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

*Contact: Roger Bellas, Environmental Program Manager, 570-826-2201.*

**101537. Waste Management of Pennsylvania, Inc., 1725 Brookside Road, Macungie, PA 18062, Lower Macungie Township, Lehigh County.** A permit reissuance to transfer the Hinkle Transfer Station permit from Hinkle Transfer Station, LLC to Waste Management of Pennsylvania, Inc. Application received: April 21, 2023. Permit issued: February 27, 2024.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. 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.**

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

*Contact: Eric Gustafson.*

**GP13-10-00441A: Best Choice Paving, 1173 Chicora Road, Chicora, PA 16025, Donegal Township, Butler County.** The Department authorized the construction and operation one 30 tons per hour Margui Engenharia counter-flow model CC 9252 asphalt plant consisting of a 2.7 MMBtu/hr propane-fired dryer burner and a Margui Engenharia baghouse, and one 5495-gallon liquid asphalt storage tank pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-13: Hot Mix Asphalt Plants at the Chicora Asphalt Plant facility. Application received: October 19, 2023. Authorized: February 21, 2024. Expiration date: February 20, 2029.

*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.*

**GP5A-63-01020B/AG5A-63-00004B: Range Resources Appalachia, LLC, 3000 Town Center Blvd., Canonsburg, PA 15317, Cross Roads Borough, Washington County.** Was issued authorization for the continued operation of their existing and modified sources which include: Six (6) gas wells, six (6) GPUs each rated at 2.0 MMBtu/hr, one (1) indirect fired line heater rated at 0.5 MMBtu/hr, three (3) 500-bbl condensate tanks, three (3) 500-bbl produced water storage tanks, truck load-out for condensate and produced water, one (1) VRT-100, two (2) electric driven VRU's, 46 continuous bleeders, 89 intermittent bleeders, fugitives, and blowdowns at their Godwin George Well Site located in Cross Creek Township, Washington County. Application received: February 9, 2024. Authorized: February 28, 2024.

**GP5-30-00833A/AG5-30-00039A: EQM Gathering Opco, LLC, 2200 Energy Drive, Canonsburg, PA 15317, Waynesburg Borough, Greene County.** Issued authorization for operation and construction of sources which include: Two (2) 60 MMscfd dehydrators with associated reboilers each rated at 1.54 MMBtu/hr, one (1) dehydrator rated at 80 MMscfd. All dehy units are controlled by an enclosed Envirotherm Flare rated at 6.0 MMBtu/hr; four (4) catalytic heaters two (2) rated at 0.00385 MMBtu/hr and two (2) rated at 0.0046 MMBtu/hr, two (2) Produced water tank each 16,800-gallon capacity; one (1) used oil tank 16,800-gallon, three (3) TEG tanks each 500-gallon, Truck loadout operations produced water, Fugitive emissions, at White's Ridge Dehydration Station located in Waynesburg Borough, Greene County. Application received: January 12, 2024. Authorized: February 28, 2024.

**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.**

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

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

**59-00002D: Eastern Gas Transmission & Storage, Inc.**, 6603 West Broad Street, Richmond, VA 23230, Farmington Township, **Tioga County**. The Department issued a plan approval to install selective catalytic reduction units on Engines 1 and 2 (Source IDs P101 and P102) to comply with RACT III NO<sub>x</sub> emission limits at the Tioga Compressor Station facility. The plan approval contains the necessary requirements including testing, monitoring, recordkeeping, and reporting conditions to ensure compliance with all applicable Federal and State regulations. Application received: January 3, 2023. Issued: February 29, 2024. Expiration date: August 28, 2025.

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

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

**22-03102B: Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033, Derry Township, **Dauphin County**. For the installation of an Ecoremedy gasifier and dryer system to produce syngas (that will be combusted for process heat) and Class A biosolids. The proposed process will treat solids downstream of the existing anaerobic digester. The gasification process will convert organic solids into syngas and ash residuals. The process will be controlled by a multiclone, venturi wet scrubber and packed bed scrubber at the municipal waste facility. Application received: May 18, 2023. Issued: March 5, 2024.

*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.*

**09-0059B: Saint Mary Medical Center**, 1201 Langhorne Newton Rd, Langhorne, PA 19047, Middletown Township, **Bucks County**. This action is for the issuance of a plan approval for the installation of a 35.66 MMBtu/hr natural gas fired boiler at a general medical and surgical hospital. Application received: October 26, 2023. Issued: February 28, 2024.

**09-0007G: GROWS Landfill/Waste Management**, 1400 Bordentown Rd, Morrisville, PA 19067, Falls Township, **Bucks County**. An extension for the temporary shakedown to demonstrate compliance of the short-term sulfur oxide (SO<sub>x</sub>) limits for a Back-up Enclosed Flare at their landfill. Application received: February 14, 2024. Issued: February 28, 2024.

**15-0162: Longwood Funeral Home & Cremation of Matthew Genereux, Inc.**, 913 E Baltimore Pike, Kennett Square, PA 19348-1835, East Marlborough Township, **Chester County**. This action is for a plan approval to install and operate a new human crematory unit. The crematory unit is the only source of emissions at the facility. Application received: September 25, 2023. Issued: March 1, 2024.

*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-04-00727C: Lambeth, Inc., d/b/a Five Points Pet Crematory Services**, 2061 Broadhead Road, Aliquippa, PA 15001, Hopewell Township, **Beaver County**. Plan approval extension issuance effective February 28, 2024, to prepare and complete the stack testing procedure for a natural gas-fired pet crematory, manufactured by Matthews Environmental Solutions, IEB-20 rated at 150 lbs/hr at their facility located in Hopewell Township, Beaver County. Application received: February 28, 2024. Issued: February 28, 2024.

**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 approved authorization to extend the temporary operating period for the shakedown of sources while the company awaits compliance test protocol approval at their landfill gas to pipeline quality natural gas facility located at the Wayne Township Landfill. The plan approval expiration date has been extended to August 30, 2024. Application received: February 29, 2024. Extension: March 1, 2024. New expiration date: August 30, 2024.

*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.*

**42-004K: American Refining Group, Inc.**, 77 North Kendall Avenue, Bradford, PA 16701-1726, City of Bradford, **McKean County**. Issued a 6-month plan approval extension to allow the facility to continue project shakedown activities. Extension expires August 28, 2024. Application received: January 26, 2024. Issued: February 28, 2024.

**25-179E: Erie Sewer Authority**, 68 Port Access Road, Erie, PA 16507, City of Erie, **Erie County**. Issued an 18-month plan approval extension to allow project construction and shakedown to continue. Extension expires August 28, 2025. Application received: February 22, 2024. Issued: February 28, 2024.

*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.*

**67-03056B: SKF USA Inc.**, 20 Industrial Dr., Hanover, PA 17331, Penn Township, **York County**. For the installation of a plasma spray booth and associated cold cleaning equipment at the facility. The spray booth will use a plasma arc to melt metal oxide powder and apply it as a coating, and particulate matter will be controlled by a dust collector. The cleaning equipment will be an immersion cold cleaning machine. The plan approval was extended. Application received: February 20, 2024. Issued: March 5, 2024.

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

**36-05158D: Perdue AgriBusiness, LLC**, 1897 River Road, Marietta, PA 17547, Conoy Township, **Lancaster County**. For the modification of the vertical seed conditioner (VSC) fan discharge and the ability to combust propane in Grain Dryer No. 2 (Source ID 104) at the soybean processing facility. The plan approval was extended. Application received: February 12, 2024. Issued: February 27, 2024.

**36-050010: Armstrong World Industries, Inc.**, 1507 River Road, Marietta, PA 17547, East Donegal Township, **Lancaster County**. For the modification to the existing dust collection system on the PIF Line (ID 250) at the ceiling tile plant. Specifically, the project will replace the internally vented 20,000 acfm baghouse (Control ID D05—Baghouse # 27) and the internally vented 4,000 acfm receiver baghouse (baghouse # 7) with a 57,000 acfm baghouse and a new 1,830 acfm receiver baghouse, respectively. The 57,000 acfm baghouse is an existing baghouse (Control C130—Baghouse # 30) which will be relocated, rebuilt and equipped with new high-efficiency filters. The two new baghouses are to be vented to atmosphere. Additionally, Armstrong is proposing to add additional dust pickups to existing Baghouse # 26 (Control ID D04), which controls the equalizers (Sources IDs 204 and 210), and Baghouse # 4 (Control ID D01) which controls the PIF line feeder and sander (Source ID 250). The additional pickup points will improve dust collection on existing operations. No production equipment will be modified or added during the project. The plan approval was extended. Application received: February 5, 2024. Issued: February 29, 2024.

**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.**

*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.*

**35-00002: PEI Power, LLC**, 500 Technology Dr., 2nd Floor, Canonsburg, PA 15316, Archbald Borough, **Lackawanna County**. The Department issued a renewal Title V Operating Permit for the operation of boilers and turbines at their electricity generating facility. The 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. Application received: September 7, 2022. Accepted: September 7, 2022. Issued: February 13, 2024.

**40-00121: Greater Hazleton City Joint Sewer Authority**, P.O. Box 651, Hazleton, PA 18201, West Hazleton Borough, **Luzerne County**. The Department issued an initial Title V Operating Permit for the operation of a sewage sludge incinerator; two methanol storage tanks and three emergency generators at their wastewater treatment plant. The 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. Application received: October 3, 2022. Accepted: October 3, 2022. Issued: February 20, 2024.

*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.*

**05-05021: Creative Pultrusions, Inc.**, 214 Industrial Lane, Alum Bank, PA 15521-8304, West Saint Clair Township, **Bedford County**. For the existing fiberglass pultrusion operation at the Alum Bank plant. The Title V permit was renewed. Application received: September 13, 2023. Issued: February 27, 2024.

**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.*

**49-00028: Wildwood Cemetery Company**, 1151 Cemetery Street, Williamsport, PA 17701, City of Sunbury, **Northumberland County**. The Department issued a renewal State Only Operating Permit for the Pomfret Manor Cemetery crematory facility. The State Only Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations. Application received: May 30, 2023. Renewal issued: February 26, 2024. New expiration date: February 25, 2029.

**41-00072: Reynolds Iron Works, Inc.**, 157 Palmer Industrial Road, Williamsport, PA 17701, Woodward Township, **Lycoming County**. The Department issued a renewal State Only (Natural Minor) Operating Permit for the company's Williamsport metal fabrication facility. The State Only Operating Permit contains the necessary requirements including monitoring, recordkeeping, and work practice conditions to ensure compliance with all applicable Federal and State regulations. Application received: May 30, 2023. Renewal issued: March 1, 2024. New expiration date: February 28, 2029.

*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.*

**40-00004: Silgan White Cap Corporation**, 1190 Corporate Center Drive, Oconomowoc, WI 53066, Hazle Township, **Luzerne County**. The Department has issued an initial State-Only (Synthetic Minor) Operating Permit for the Hazle Township facility. Sources at this facility include their printing lines, coating lines, solvent clean-up, coating mix room, and an emergency generator. This permit also contains two thermal oxidizers as control devices. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: January 8, 2024. Accepted: January 8, 2024. Issued: February 28, 2024.

**45-00021: Lehigh Valley Hospital Pocono**, 206 East Brown Street, East Stroudsburg, PA 18301-3094, East Stroudsburg Borough, **Monroe County**. The Department has issued a renewal State-Only (Natural Minor) Operating Permit for the East Stroudsburg Borough facility. Sources at this facility include their boilers and emergency generators. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Applica-

tion received: December 15, 2023. Accepted: December 15, 2023. Issued: February 28, 2024.

**13-00009: Weatherly Casting & Machine Co. LLC**, P.O. Box 21, Weatherly, PA 18255, Weatherly Borough, **Carbon County**. The Department issued a renewal State-Only Operating Permit for the operation of sources at their iron and iron alloy foundry. The 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. Application received: March 20, 2023. Accepted: March 20, 2023. Issued: February 28, 2024.

**39-00036: St. Luke's Health Network Inc.**, 801 Ostrum St., Bethlehem, PA 18015, Fountain Hill Borough, **Lehigh County**. The Department issued a renewal State-Only Operating Permit for the operation of boilers and emergency generators at their hospital facility. The 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. Application received: November 11, 2022. Accepted: November 11, 2022. Issued: February 13, 2024.

**64-00015: Bedrock Quarries, Inc.**, P.O. Box 196, 2052 Lucon Rd, Skippack, PA 19474-0196, Damascus Township, **Wayne County**. The Department has issued a renewal State-Only (Natural Minor) Operating Permit for the Damascus Township facility. Sources at this facility include their primary, secondary, and tertiary crushers, primary scalping screen, product screens, and conveyance system. This permit also incorporates their wet suppression system as a control device. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: December 21, 2023. Accepted: December 21, 2023. Issued: February 29, 2024.

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

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

**37-00368: Amerikohl Aggregates, Inc.**, 1384 State Route 711, Stahlstown, PA 15687, Shenango Township, **Lawrence County**. The Department issued the State Only Operating Permit for Amerikohl Aggregates, Inc. Moscipan Mine. The sources at the facility include the processing plant (crushers, screens, conveyors, and stockpiles) and diesel engines. The engines are subject to 40 CFR 60 Subpart IIII. The processing plant is subject to 40 CFR part 60 Subpart OOO. Emissions from the facility are less than the major source thresholds with a potential of 32.6 tpy NO<sub>x</sub>; 7.02 tpy CO; 2.14 tpy SO<sub>x</sub>; 4.14 tpy PM; 4.83 tpy PM<sub>10</sub>; and 2.59 tpy VOC. The facility is a Natural Minor. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The permit contains a compliance schedule to perform initial performance testing per 40 CFR Part 60 Subpart OOO within 30 days of startup of the 2024 season. Application received: February 17, 2023. Issued: February 27, 2024.

*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.*

**21-05012: Mount Holly Springs Specialty Paper, Inc.**, 1 Mountain Street, Mt. Holly Springs, PA 17065-1406, Mount Holly Springs Borough, **Cumberland County**. For the specialty paper manufacturing facility. The State-Only permit was renewed. Application received: August 29, 2023. Issued: February 27, 2024.

**67-05096: Blockhouse Co., Inc.**, 3285 Farmtrail Road, York, PA 17406-5602, Manchester Township, **York County**. For the wood furniture manufacturing facility. The State-Only permit was renewed. Application received: June 16, 2023. Issued: February 27, 2024.

**67-05141: IWM International LLC**, 500 East Middle Street, Hanover, PA 17331-2027, Hanover Borough, **York County**. For the woven metal mesh products manufacturing facility. The State-Only permit was renewed. Application received: June 12, 2023. Issued: March 4, 2024.

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

**06-03087: Arkema, Inc.**, 1112 Lincoln Road, Birdsboro, PA 19508-1804, Exeter Township, **Berks County**. For the nylon polymer manufacturing facility. The State-Only permit was renewed. Application received: July 14, 2023. Issued: March 1, 2024.

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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.

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

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

**24-00083: Mersen USA**, 215 Stackpole Street, Saint Marys, PA 15857-1401, City of Saint Marys, **Elk County**. The permit was administratively amended to incorporate the requirements of plan approval 24-083AA. Application received: August 1, 2023. Revised: February 27, 2024.

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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. 30121301. NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill, Morris and Center Townships, **Greene County**. To revise the permit and related NPDES permit for installation of a 1.3-miles-long overhead powerline. Application received: April 7, 2023. Accepted: May 26, 2023. Issued: February 22, 2024.

*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. 07920101. NPDES No. PA0599581. RES Coal, LLC**, 51 Airport Road, Clearfield, PA 16830, Allegheny Township, **Blair County**. NPDES renewal of a bituminous surface mine affecting 474.0 acres. Receiving streams: unnamed tributaries to/ and Sugar Run classified for the following use: CWF. Application received: August 2, 2023. Renewal issued: March 1, 2024.

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 14743701. PA Mines LLC**, 600 Hamilton Street, Suite 600, Allentown, PA 18101, Rush Township, **Centre County**. Permit renewal and a major revision to the permit boundary to add 12 acres to the existing coal refuse disposal site affecting 150 acres. The renewal is for reclamation only. Receiving stream(s): Moshannon Creek and UNT to Moshannon Creek classified for the following use(s): TSF. Application received: June 14, 2023. Accepted: June 26, 2023. Issued: March 5, 2024.

**Mining Permit No. 17921602. NPDES No. PA0214191. King Coal Sales, Inc.**, P.O. Box 712, Philipsburg, PA 16866, Morris Township, **Clearfield County**. Permit renewal for a coal preparation plant and associated NPDES permit affecting 26.0 acres. Receiving stream(s): Alder Run classified for the following use(s): CWF. Application received: August 24, 2023. Accepted: August 25, 2023. Issued: March 5, 2024.

*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. 28900301. NPDES No. PA0595861. David H. Martin Excavating, Inc.**, 4961 Cumberland Highway, Chambersburg, PA 17202, Greene Township, **Franklin County**. NPDES renewal of an existing large industrial mineral permit. Receiving streams unnamed tributary to Rock Spring Branch of Back Creek, a tributary to Conococheague Creek, a tributary to the Potomac River classified for the following use: TSF. Application received: November 21, 2022. Renewal issued: February 29, 2024.

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

*Contact: Alicia Cook, Clerical Assistant 3, 814-797-0815.*

**Mining Permit No. 62040803. Michael Zurkan, Jr.**, 87 Crestview Blvd., Warren, PA 16365, Sugar Grove Township, **Warren County**. Final bond release for a small industrial minerals surface mine. Application received: February 1, 2024. Issued: March 1, 2024.

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

*Contact: Tracy Norbert 724.925.5500, RA-EPNEWSTANTON@pa.gov.*

**Mining Permit No. 03200401. NPDES No. PA0278467. Brady's Bend Limestone Company, LLC**, Box 217, 10900 South Avenue, North Lima, OH 44452, Bradys Bend Township, **Armstrong County**. Permit issued for commencement, operation and restoration of a large noncoal surface and underground mine and associated NPDES permit, affecting 36.4 surface acres and 465.4 underground acres; receiving streams: Pine Run to Sugar Creek to the Allegheny River, classified for the following use: WWF. Application received: July 8, 2020. Issued: March 5, 2024.

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

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

**Mining Permit No. 40870302. NPDES Permit No. PA0225827. East Point Aggregate, LLC**, 925 Harvard Avenue, Bethlehem, PA 18015, Foster Township, **Luzerne County**. Transfer of a quarry operation and NPDES Permit affecting 105.54 acres. Receiving stream: UNT to Lehigh River. Application received: April 5, 2023. Transfer issued: February 28, 2024.

#### 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*

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

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

**Permit No. 36244103. Keystone Blasting Service**, 15 Hopland Road, Lititz, PA 17543, Clay Township, **Lancaster County**. Construction blasting for Sharp Shoppers Warehouse. Application received: February 19, 2024. Permit issued: February 27, 2024. Expiration date: July 30, 2024.

**Permit No. 36244104. Valley Rock Solutions, LLC**, P.O. Box 246, Macungie, PA 18062, Strasburg Township, **Lancaster County**. Construction blasting for Sight & Sounds Theatres detention pond. Application received: February 23, 2024. Permit issued: February 29, 2024. Expiration date: September 30, 2024.

#### 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.**

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

*Contact: 717-705-4802.*

**E0503223-001. Plenary Walsh Keystone Partners, 4 Penn Cent Blvd, Pittsburgh, PA 15276, Juniata Township, Bedford County. U.S. Army Corps of Engineers Baltimore District.**

Giving its consent to leave and maintain 0.08 acre after-the-fact wetland fill which remained post-construction from a bridge replacement project authorization under GP-11-05-16-104. The project is located along the SR 30 crossing over Burns Creek (WWF) in Juniata Township, Bedford County (Latitude: 40.0395; Longitude: -78.6878). The applicant proposes the purchase of 0.16 acre wetland credits from the Land Reclamation Group LLC Tunnel Road Mitigation Bank (MB9915-0003) as compensatory mitigation for the wetland fill. Application received: January 12, 2023. Issued: February 28, 2024.

#### 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.*

**D40-238EA. Chet Mozloom, Executive Director, The Lands at Hillside Farms, 65 Hillside Road, Shavertown, PA 18708, Kingston Township, Luzerne County.** The Department has reviewed and approved a proposal to remove the Hillside Farms Dam to eliminate a threat to public safety and to restore approximately 100 feet of stream channel to a free-flowing condition. The proposed restoration project includes excavation and grading of accumulated sediment to establish a desirable slope in the stream reach. Four grade control structures will also be constructed. The project is located across Huntsville Creek (CWF, MF) (Kingston, PA Quadrangle, Latitude: 41.2972; Longitude: -75.9363). Project was approved on 3/4/2024. Application received: September 13, 2023. Approved: March 4, 2024.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

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

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

ESCGP # 3 **ESG295823029-00**

Applicant Name **Coterra Energy, Inc.**  
Contact Person Kenneth Marcum  
Address 2000 Park Lane, Suite 300  
City, State, Zip Pittsburgh, PA 15275-1121  
Township(s) Bridgewater Township  
County **Susquehanna County**

Receiving Stream(s) and Classification(s) Tributary 29869 to East Branch Creek (CWF, MF), Beebe Creek (CWF, MF)

Application received: December 20, 2023  
Issued: February 29, 2024

ESCGP # 3 **ESG291223002-00**

Applicant Name **Seneca Resources Co, LLC**

Contact Person Douglas Kepler

Address 51 Zents Boulevard

City, State, Zip Brookville, PA 15825-2701

Township(s) Shippen Township

County **Cameron County**

Receiving Stream(s) and Classification(s) UNT to Elk Fork (EV, MF), UNT to Indian Camp Run (EV, MF)

Application received: December 11, 2023

Issued: February 29, 2024

ESCGP # 3 **ESG295823023-00**

Applicant Name **Coterra Energy, Inc.**

Contact Person Kenneth Marcum

Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275

Township(s) Brooklyn Township and Lathrop Township

County **Susquehanna County**

Receiving Stream(s) and Classification(s) Hop Bottom Creek # 4923 (CWF, MF), UNT to Martins Creek # 87825 (CWF, MF)

Application received: October 23, 2023

Issued: March 1, 2024

ESCGP # 3 **ESG290824003-00**

Applicant Name **Chesapeake Appalachia, LLC**

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

Township(s) Orwell Township

County **Bradford County**

Receiving Stream(s) and Classification(s) Wysox Creek (CWF, MF)

Application received: January 29, 2024

Issued: March 4, 2024

ESCGP # 3 **ESG295823027-00**

Applicant Name **Williams Field Services Co, LLC**

Contact Person Jayme Stotka

Address 2000 Commerce Drive

City, State, Zip Pittsburgh, PA 15275

Township(s) Gibson Township

County **Susquehanna County**

Receiving Stream(s) and Classification(s) Bear Swamp Creek # 35258 (CWF, MF)

Application received: November 29, 2023

Issued: March 4, 2024

*Southcentral Region: Clean Water Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: 717-705-4802.*

ESCP # **PAD280019**

Applicant Name **Infrastructure and Energy Alternatives, Inc.**

Contact Person Marisa Policastro

Address 6325 Digital Way, Suite 460

City, State, Zip Indianapolis, IN 46278-1679

Township(s) Fannett Township

County **Franklin County**

Receiving Stream(s) and Classification(s) Dry Run (CWF, MF) and UNT to Dry Run (CWF, MF)

Application received: April 24, 2023

Permit issued: December 18, 2023

*Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: RA-EPSW-OGSUBMISSION@pa.gov.*

ESCGP # 3 **ESG073019035-01**

Applicant Name **EQT Prod Co—More Cowbell Well Site**

Contact Person Todd Klaner, (724) 746-9043

TKlaner@eqt.com

Address 154 Calvert Hill Road

City, State, Zip Mt. Morris, PA 15349

Township(s) Perry Township

County **Greene County**

Receiving Stream(s) and Classification(s) 001. Little Shannon Run, Ch 93 Class CWF 002. UNT to Shannon Run, Ch 93. Class WWF

Application received: January 16, 2024

Permit modification issued: February 28, 2024

## 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.

**CMP Clearfield**, Storage Tank Facility ID # **17-25092**, 1126 South 2nd Street, Clearfield, PA 16830, Clearfield Borough, **Clearfield County**. McKee Environmental, Inc., 86 Quartz Drive, Bellefonte, PA 16823, on behalf of EDPO LLC, dba CMP-Energy, P.O. Box 669, Philipsburg, PA 16866, submitted a Remedial Action Completion Report concerning remediation of soil contaminated with petroleum. The report is intended to document the remedial actions for meeting residential and nonresidential Statewide health standards.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.*

*Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.*

**Coalport Minit Mart 212**, Storage Tank Facility ID # **17-70601**, 1135 Main Street, Coalport, PA 16627, Coalport Borough, **Clearfield County**. Gary C. Calvert LLC, P.O. Box 504, Hollidaysburg, PA 16648, on behalf of Nittany Oil Company, Inc., 321 North Front Street, Philipsburg, PA 16886, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

*Contact: Chris, 724-598-2206.*

**BFS Grove City W Main**, Storage Tank Facility ID # **43-14158**, 201 West Main Street, Grove City, PA 16127, Grove City Borough, **Mercer County**. Antea USA, Inc., 10320 Little Patuxent Parkway, Suite 200, Columbia, MD 21044, on behalf of BP Products North America, Inc., P.O. Box 101925, Arlington, VA 22210, 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 and site-specific standards.

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

*Contact: Robin L Yerger, LPG, 717-705-4837.*

**CIF Hanover**, Storage Tank Facility ID # **67-60540**, 1049 Carlisle Street, Hanover, PA 17331-1102, Hanover Township, **York County**. Mountain Research LLC, 825 25th Street, Altoona, PA 16601, on behalf of Harinderpal Sawhney, 24 John Randolph Drive, New Freedom, PA 17349, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum constituents. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

**Rutters Farm Store 54**, Storage Tank Facility ID # **67-32277**, 5305 Susquehanna Trail, York, PA 17402, Conewago Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, York, PA 17404, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum contaminants. The plan is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

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

*Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.*

**101 E Hunting Park Avenue**, Storage Tank Facility ID # **51-09761**, 101 E Hunting Park Ave., Philadelphia, PA 19124, Philadelphia, **Philadelphia County**. LaBella Associates, P.C., 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of 101 East Hunting Park, LP, 8205 Rose Petal Drive, Philadelphia, PA 19111, 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 site-specific standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

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

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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.*

**FastFill 4**, Storage Tank Facility ID # **54-27781**, 356 Center Avenue, Schuylkill Haven, PA 17972, Schuylkill Haven Borough, **Schuylkill County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of Vista Fuels, LLC, 2083 West Penn Pike, Suite 16, Andreas, PA 18221, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with diesel. The plan was not acceptable to meet the Statewide health standards and was disapproved by DEP on February 29, 2024.

**Clarks Summit**, Storage Tank Facility ID # **35-20610**, 101 North State Street, Clarks Summit, PA 18411, Clarks Summit Borough, **Lackawanna County**. CT Consultants, 1915 North 12th Street, Toledo, OH 43604, on

behalf of CVS, One CVS Drive, Woonsocket, RI 02895, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan was not acceptable to meet the site-specific standards and was disapproved by DEP on February 28, 2024.

**Parker Oil**, Storage Tank Facility ID # **45-50013**, 320 North 9th Street, Stroudsburg, PA 18360, Stroudsburg Borough, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Parker Oil Company, 311 Strawberry Hill Road, Saylorsburg, PA 18353, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan was acceptable to meet the Statewide health standards and was approved by DEP on March 4, 2024.

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

*Contact: Robin L Yerger, LPG, 717-705-4837.*

**CIF Hanover**, Storage Tank Facility ID # **67-60540**, 1049 Carlisle Street, Hanover, PA 17331-1102, Hanover Borough, **York County**. Mountain Research LLC, 825 25th Street, Altoona, PA 16601, on behalf of Harinderpal Sawhney, 24 John Randolph Drive, New Freedom, PA 17349, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum constituents. The plan was acceptable to meet the nonresidential site-specific standards and was approved by DEP on March 1, 2024.

**Rutters Farm Store 54**, Storage Tank Facility ID # **67-32277**, 5305 Susquehanna Trail, York, PA 17402, Conewago Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, York, PA 17404, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum contaminants. The plan was not acceptable to meet the nonresidential Statewide health and site-specific standards and was disapproved by DEP on March 4, 2024.

*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.*

**Woodland Gardens**, Storage Tank Facility ID # **23-34639**, 553 Church Lane, Yeadon, PA 19050, Yeadon Borough, **Delaware County**. ARM Brickhouse, 515 South Franklin Street, West Chester, PA 19382, on behalf of Mr. Nicholas Canavati, 209 Hazel Ridge Drive, Wilmington, DE 19810, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the nonresidential site-specific standards and was approved by DEP on March 5, 2024.

**Lukoil 69232**, Storage Tank Facility ID # **09-41459**, 1400 Eaton Rd., Warrington, PA 18976, Warrington Township, **Bucks County**. EnviroTrac Ltd., 602 S. Bethlehem Pike, Suite A2 and 3, Ambler, PA 19002, on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the residential State-

wide health and site-specific standards and was approved by DEP on February 12, 2024.

**Sunoco 0363 3799**, Storage Tank Facility ID # **51-30606**, 100 W. Queen Ln., Philadelphia, PA 19144, City of Philadelphia, **Philadelphia 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 was acceptable to meet the nonresidential Statewide health and site-specific standards and was approved by DEP on February 12, 2024.

**Speedway 6724**, Storage Tank Facility ID # **46-16883**, 2818 Easton Rd., Willow Grove, PA 19090, Upper Moreland Township, **Montgomery County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of Speedway LLC, P.O. Box 1500, Springfield, OH 44501, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined plan and report demonstrated attainment of the nonresidential Statewide health standards and was approved by DEP on February 15, 2024.

**51st Street Term**, Storage Tank Facility ID # **51-10420**, 1630 S. 51 St., Philadelphia, PA 19143, City of Philadelphia, **Philadelphia County**. Arcadis U.S., Inc., 1 Harvard Way, Suite 5, Hillsborough, NJ 08844, on behalf of Alliance 51st Street LLC, 40 Morris Avenue, Suite 230, Bryn Mawr, PA 19010, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline, diesel, and heating oil. The report was acceptable to meet the nonresidential site-specific standards and was approved by DEP on February 22, 2024.

**9853 Bustleton Avenue Partners**, Storage Tank Facility ID # **51-43012**, 9853 Bustleton Ave., Philadelphia, PA 19115, City of Philadelphia, **Philadelphia County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Z Brothers Sunoco, 9853 Butleton Ave., Philadelphia, PA 19115, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the nonresidential Statewide health standards and was approved by DEP on February 26, 2024.

**Lukoil 69210**, Storage Tank Facility ID # **23-42596**, 729 Highland Avenue, Chester, PA 19013, City of Chester, **Delaware County**. EnviroTrac Ltd., 602 S. Bethlehem Pike, Suite A2 and 3, Ambler, PA 19002, on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the residential Statewide health and site-specific standards and was approved by DEP on February 28, 2024.

**Former Sunoco 0004 6862**, Storage Tank Facility ID # **23-32483**, 327 MacDade Boulevard, Collingdale, PA 19023, Collingdale Borough, **Delaware County**. Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Station Management Consultants, 439 South Governor Printz Boulevard, Essington, PA 19029, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The plan was not acceptable to meet

the nonresidential Statewide health standards and was disapproved by DEP on March 1, 2024.

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

*Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.*

**Leland Park Community Center**, Storage Tank Facility ID # **02-23038**, 5230 Wolfe Drive, Pittsburgh, PA 15236, Baldwin Borough, **Allegheny County**. Flynn Environmental, Inc., 5640 Whipple Avenue Northwest, North Canton, OH 44720, on behalf of Baldwin Borough of Allegheny County, 3344 Churchview Avenue, Pittsburgh, PA 15227, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the residential Statewide health standards and was approved by DEP on February 20, 2024.

**Honey Bear Mini Mart # 201**, Storage Tank Facility ID # **26-05807**, 2561 Memorial Boulevard, Connellsville, PA 15425, Bullsken Township, **Fayette County**. Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146, on behalf of OCI, Inc., d/b/a Graft Oil Company, 2561 Memorial Boulevard, Connellsville, PA 15425, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the nonresidential site-specific standards and was approved by DEP on February 23, 2024.

**7 Eleven # 40481**, Storage Tank Facility ID # **65-24183**, 140 West Pittsburgh Street, Greensburg, PA 15601, City of Greensburg, **Westmoreland County**. AECOM Technical Services, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., 3200 Hackberry Road, P.O. Box # 711, Dallas, TX 75221, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan was acceptable to meet the nonresidential Statewide health standards and was approved by DEP on February 26, 2024.

**CORRECTION—previously published on January 27, 2024.**

**Tomazich Service Station**, Storage Tank Facility ID # **02-11951**, 301 West Allegheny Road, Imperial, PA 15126, North Fayette Township, **Allegheny County**. AECOM Technical Services, 707 Grant Street, Floor 5, Pittsburgh, PA 15219, on behalf of Tomazich Service Station, 301 West Allegheny Road, Imperial, PA 15126, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with toluene, ethylbenzene, xylenes, isopropylbenzene and 1,3,5-trimethylbenzene (TMB) in groundwater; benzene, MTBE, naphthalene, and 1,2,4-TMB in groundwater. Petroleum impacted soil and groundwater exceeding the nonresidential Statewide health standard remains on the site property but it has been determined that the impacted groundwater will not migrate beyond the property boundary and Montour Run. The report demonstrated attainment of the residential Statewide health and site-specific standards and was approved by DEP on February 15, 2024.

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## SPECIAL NOTICES

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### WATER PROGRAMS

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

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

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**Actions on Applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

**Texas Eastern Transmission, LP**, 2601 Market Place, Suite 400, Harrisburg, PA 17110. Ruscombmanor and Washington Township, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District.

The applicant is authorized to construct and maintain water obstructions and encroachments associated with the repair of three identified anomalies along the 30-inch Line 19 natural gas pipeline.

**E0683223-012.** The proposed project impacts include a total of 170 square feet of temporary impacts and 5 square feet of permanent impacts to UNT to Furnace Creek (CWF); 575 square feet of temporary floodway

impacts; and 0.50 acre of temporary impacts and 0.01 acre of permanent impacts to PEM (EV) wetlands.

The project is located 0.5 mile east of Memorial Highway/Route 662 (Latitude: 40.411389°; Longitude: -75.813333°) in Ruscombmanor Township and 0.37 mile west of Kulps Rd (Latitude: 40.423275°; Longitude: -75.607356°) in Washington Township, **Berks County**.

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

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

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

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

#### Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302).

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

*Contact: [RA-EPREGIONALPERMIT@pa.gov](mailto:RA-EPREGIONALPERMIT@pa.gov).*

**E0383224-005, Eastern Gas Transmission and Storage, Inc.**, 925 White Oaks Boulevard, Bridgeport WV, 26330, TL-474 Pipeline Culvert Replacement and Landslide Remediation Project, Kiskiminetas Township, **Armstrong County**, Army Corps of Engineers, Pittsburgh District.

Applicant is proposing the following water obstructions and encroachments:

- to remediate a landslide that will result in permanent impacts to approximately 0.20 acre of a PEM wetland (Other) and,
- to construct and maintain the replacement of a 39-foot-long, 24-inch diameter metal culvert at an existing

stream crossing with a 57 foot long, 30-inch diameter HDPE culvert with riprap inlet and outlet protection resulting in 72 feet of permanent impact to tributary to Kiskiminetas River (WWF).

The project is located 0.18-mile northeast of Roaring Run Trail (Latitude: 40.550663°; Longitude: -79.529999°) in Kiskiminetas Township, **Armstrong County**.

#### Application for National Pollutant Discharge Elimination System (NPDES) Permit under the Clean Streams Law and Federal Clean Water Act.

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

*Contact: Jamie Ley, 412-442-4133.*

The Department of Environmental Protection (DEP) has received an application for a General NPDES Permit from the applicant named as follows to authorize existing discharges of Industrial Stormwater from the project site named as follows to surface waters of the Commonwealth.

Applicant: **Armada Waste OH-PA, LLC**

Applicant Address: 1306 Main Street, Glenwillard, PA 15046-5407

Application Number: **PAG036343** (Formerly PAR506117)

Project Site Name: Iron City Express

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

Surface Waters Receiving Discharges: Ohio River (WWF)

*Project Description:* The facility is operated as a trucking company with support offices and a maintenance garage. It specializes in the processing and disposal of construction and recyclable waste.

DEP has made a tentative decision to deny the application for the PAG-03 General NPDES Permit. A 30-day public comment period applies to this application and tentative decision. Interested persons may submit written comments to DEP at the previously listed address for DEP's consideration in taking a final action on the permit application. You may also review the permit application file by contacting DEP's File Review Coordinator at 412-442-4000.

#### OIL AND GAS MANAGEMENT

**Approval of Water Management Plan Source 16 PennEnergy Resources, LLC, 3000 Westinghouse Drive, Suite 300, Cranberry Township, PA 16066, Economy Borough, Beaver County. Action Associated with Joint Permit Authorization E0407222-001. See 54 Pa.B. 743 (2-17-2024).**

*Southwest District Office: Bureau of Oil and Gas Operations, 400 Waterfront Drive, Pittsburgh, PA 15222.*

*Contact: Brian K. Bailey, P.E., [RA-EPSW-OGSUBMISSION@pa.gov](mailto:RA-EPSW-OGSUBMISSION@pa.gov).*

**Penn Energy Resources, LLC**, is authorized in accordance with Section 3211(m) of the Oil and Gas Act, 58 Pa.C.S. Sec. 3211(m) and Section 78a.69 of the regulations, 25 Pa. Code Sec. 78a.69, to withdraw up to 1.5 million gallons of water per day from a specified location on Big Sewickley Creek subject to conditions in the approved Water Management Plan including approved pass-by flow requirements and seasonal limitations, such as prevention of earthwork in the stream channel between February 15 and June 1 without prior written approval from the Pennsylvania Fish and Boat Commis-

sion. The location of the withdrawal is described as being 320 feet from the intersection with Hoenig Road on the right side of Cooney Hollow Road. (Latitude: 40.609538, Longitude: -80.180296). The Department received comments related to the Water Management Plan from June 18, 2022 to November 15, 2023. The approved Water Management Plan and the Department's responses to comments on the Water Management Plan are available to the public at <https://www.dep.pa.gov/About/Regional/SouthwestRegion/Community%20Information/Pages/PennEnergy-Water-Management-Plan.aspx>.

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.

#### WASTE, AIR, RADIATION AND REMEDIATION

##### **Notice of Proposed Revision to the State Implementation Plan (SIP) for Oxides of Nitrogen (NO<sub>x</sub>), Volatile Organic Compounds (VOC), Notice of Public Hearing, and Notice of Intent to Issue Revised Air Quality Operating Permit 48-00095.**

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

*Contact: Mark Wejkszner, Air Quality Program Manager, 570-826-2528.*

Approval of a Reasonably Available Control Technology (RACT III) plan for **Ecopax, LLC** located in Forks Township, **Northampton County**. In accordance with 25 Pa. Code §§ 129.111—129.115, the Department of Environmental Protection (Department) has made a preliminary determination to approve a RACT III plan and an amendment to the SIP for the polystyrene foam product manufacturing facility owned and operated by Ecopax, LLC.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT III approval for the facility, which are intended to satisfy the requirements for the 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed conditions for the alternative RACT III determination, if finally approved, will be incorporated into a revised operating permit (48-00095) for the facility. The relevant RACT III requirements will be submitted to U.S. EPA as a revision to Pennsylvania's SIP and will remain in effect until replaced pursuant to 40 CFR Part 51 and approval by United States Environmental Protection Agency (EPA). Requirements that are not part of the RACT III determination will be excluded from the SIP submittal. The following is a summary of the proposed conditions for the alternative RACT III determination for this operation that will be submitted to the EPA as a SIP revision:

Ecopax has requested the following alternative case-by-case RACT III determination for the following sources through this significant operating permit modification, which will be submitted to the EPA as an amendment to the SIP:

For the regenerative thermal oxidizer (RTO) controlled processes, including the extruder lines, curing room, grinders, repelletizers, fluff silos, and thermoformers, RACT III shall be the continued operation of the RTO with a VOC destruction/removal efficiency (DRE) greater than 98%.

Other sources at the facility which are not included in the alternative RACT III determination include air contamination sources subject to a presumptive RACT requirement or RACT emissions limitation in 25 Pa. Code § 129.112, air contamination sources that are exempt from 25 Pa. Code §§ 129.112—114 because they have the PTE of less than 1 tpy of NO<sub>x</sub> and/or less than 1 tpy of VOC, in accordance with 25 Pa. Code § 129.111(c), and air contamination sources that are exempt from 25 Pa. Code §§ 129.112—114 because they are already subject to certain Chapter 129 RACT requirements (i.e., 25 Pa. Code §§ 129.51, 129.52(a)—(k) and Table I categories 1—11, 129.52a—129.52e, 129.54—129.63a, 129.64—129.69, 129.71—129.75, 129.77, and 129.101—129.107), in accordance with 25 Pa. Code § 129.111(a).

The operating permit will contain additional record-keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 48-00095 and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Mark



Wejkszner, Air Quality Program Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, phone number 570-826-2528 within 30 days after publication date.

[Pa.B. Doc. No. 24-353. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Coal Mining Operations

The Department of Environmental Protection (Department) announces the 2024 land reclamation bond rate guidelines for anthracite and bituminous coal mining operations. These rates become effective April 1, 2024. The authority for bonding coal mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66) and the regulations promulgated thereunder at 25 Pa. Code Chapter 86, Subchapter F (relating to bonding and insurance requirements).

The unit costs listed in these guidelines will be used in calculating the land reclamation bonds for surface coal mining operations including, surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities and the surface facilities associated with underground mining operations.

The procedures for calculating land reclamation bonds are described in the Department's Technical Guidance Document 563-2504-001, "Conventional Bonding for Land Reclamation—Coal," which is available on the Department's web site at <http://www.eLibrary.dep.state.pa.us>. The Department calculated the rate of inflation using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2019—2023, resulting in a rate of 3.45%. This rate of inflation will be used in calculating bond amounts for permit renewal or permit mid-term bond liability reviews on or after April 1, 2024.

The Department may review the adequacy of bonds on existing permits based on the bond rate guidelines at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

These bond rate guidelines do not apply to bonds ensuring replacement of water supplies under section 3.1(c) of the Surface Mining Conservation and Reclamation Act (52 P.S. § 1396.3a(c)) or to bonds ensuring compliance with the requirements of The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

### General Methodology

The Department developed the bond rate guidelines for 2024 from the unit costs for competitively bid contracts for abandoned mine reclamation projects using the lowest total bid for each contract. Contract bid data is available for various unit operations needed to complete reclamation of a mine site for the years 1998—2023. For most categories, a 3-year (2021—2023) average was used to calculate the guidelines. Some categories require another approach due to limited data represented in the bid contracts, such as selective grading. As discussed with the Department's Mining and Reclamation Advisory Board in 2023, the Department had quantified the cost increases for 2022 compared to 2021 and calculated a 17% increase for any items not represented in a bid contract that year. For example, there were no contracts in 2022 that included selective grading. Therefore, using the 17% increase factor, the selective grading bond rate cost went up \$300. Prior to this increase, the selective grading cost per acre had remained at \$1,700 for the last 8 years. It was likely this amount did not represent the actual cost. If a project with selective grading occurs, the actual rate would be higher and be reflected in a dramatic increase for this rate. The Department has used this 17% increase factor for any items that were not represented in a bid contract in 2023. The new approach by the Department is intended to minimize these dramatic increases by ensuring bond rates stay reasonable based on increases seen in other unit operations. For any items that were represented in a bid contract in 2023, the Department used the weighted average of the lowest total bid contract for the previous 3 years for the 2024 bond rate guidelines.

If a unit operation necessary to calculate a reclamation bond is not listed in Tables 1 or 2, then additional cost information available may be used. Unit costs (such as haulage over 1 mile for grading) may be calculated using a standard reference such as the most recent edition of *Means Building Construction Cost Data* or the most recent version of the Office of Surface Mining *Handbook for Calculation of Reclamation Bond Amounts*. Specific unit costs may be adjusted using information provided by other stakeholders including permittee-provided reclamation cost estimates which include supporting calculations such as prevailing wage costs, installation costs and the like.

The fees associated with the Land Maintenance Bond Program are presented in Table 3. There has been no change in these rates for 2024.

The bond rate guidelines are available electronically at <http://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Bonding/Pages/BondRates.aspx>. For background information and supporting documentation regarding bonding rate guidelines, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

### Mine Sealing Costs

The mine sealing bond rate guidelines are presented in Table 2.

### Effective Date

The bond rate guidelines in this notice become effective April 1, 2024.

Table 1

## Standard Bond Rate Guidelines for Year 2024

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Mobilization/Demobilization	Job	4.5% of direct costs or \$45,000, whichever is less
Grading (< 500 ft. push)	Cubic Yard	1.50
Load/Haul/Dump/Grading ( $\geq$ 500 ft.)	Cubic Yard	2.50
Load/Haul/Dump/Grading (1,000 ft. up to 1 mile) Underground and Refuse Only	Cubic Yard	3.00
Load/Haul/Dump/Grading (> 1 mile) Underground and Refuse Only	Cubic Yard	Use Standard References
Selective Grading	Acre	2,350.00
Revegetation	Acre	3,200.00
Tree Planting	Tree	1.00
Ditch Excavation	Cubic Yard	7.00
Jute Matting	Square Yard	6.00
High Velocity Erosion Control	Square Yard	3.00
AASHTO No. 1	Ton	45.00
AASHTO No. 57	Ton	90.00
R3 Rock Lining	Square Yard	48.00
R4 Rock Lining	Square Yard	39.00
R5 Rock Lining	Square Yard	50.00
Geotextile/Filter Fabric	Square Yard	17.00
Subsurface Drain	Lineal Foot	26.00
Erosion and Sedimentation Control (Temporary Installation)	Job	Lump sum (5% of direct costs for site)
Pond Removal Active Phase <sup>1</sup>	Pond	3,800.00
Stage 3 Maintenance Bond Non-Cropland Areas (Land Uses Where Crop Yields Are Not Required)	Acre	100.00
Stage 3 Maintenance Bond Cropland (Not Row Crops) Pastureland or Land Occasional Cut for Hay (Excludes Seed Cost)	Acre	500.00
Stage 3 Maintenance Bond Cropland Area-Row Crops (includes seed cost)	Acre	1,200.00
Stage 3 Mobilization	Job	2,500.00
Pond Removal—Stage 3	Cubic Yards (Embankment Volume) Plus Top Soiling and Revegetation Cost	Use <500 Grading for Pond Embankment Volume Plus Top Soiling and Revegetation Cost for the Area Disturbed
Ditch Removal—Stage 3	Lineal Foot	0.75
Equipment Tire Removal and Disposal	Tire	300.00
Structure Demolition	Costs Will Be Calculated Using Costs Listed in the Construction Industry's Latest Annual Cost Publications, such as <i>Means Building Construction Cost Data.</i>	

**Table 2**  
**Mine Sealing Bond Rate Guidelines for Year 2024**

<i>Sealing Bituminous Underground Mine Drift and Slope Openings</i>		
<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Work	Cubic yard	114.00
Masonry Work	Square foot	16.50
Fill Material & Earthwork <sup>2</sup>	Cubic yard	19.00
Security Fencing	Lineal foot	32.50
Mobilization Cost	Job	5% of Total Amount
<i>Sealing Bituminous Underground Mine Shaft Openings</i>		
Concrete Material	Cubic Yard	110.00
Aggregate Material	Cubic Yard	32.50
Fill material and Earthwork <sup>2</sup>	Cubic Yard	8.50
Security Fencing	Lineal Foot	32.50
Mobilization Cost	Job	5% of Total Amount
<i>Sealing Boreholes at Bituminous Underground Mines</i>		
<i>Dimension</i>	<i>Minimum Cost Per Hole (\$)</i>	<i>Unit Cost (\$) Per Lineal Foot</i>
12 Inch or Less Diameter	1,850	6.50
Larger Than 12 Inch Diameter	2,450	9.00

<sup>1</sup> Unit cost not from the Department's Bureau of Abandoned Mine Reclamation (BAMR) bids; includes dewatering, grading, topsoil placement and revegetation.

<sup>2</sup> Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publication, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

**Table 3**  
**Land Maintenance Financial Guarantee Fees for Year 2024**

<i>Fee Category</i>	<i>Fee (\$)</i>
Publication	1,000.00
Administrative	300.00

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-354. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### **Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Noncoal Mining Operations**

The Department of Environmental Protection (Department) announces the bond schedule for noncoal mining operations. The authority for bonding noncoal mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapter 77, Subchapter D (relating to bonding and insurance requirements). The rates listed in this schedule will be used in calculating the bonds for surface noncoal mining operations including surface mines and facilities

and the surface facilities associated with underground mining operations. Other activities, including special revegetation plans, wetland mitigation or stream channel restoration, will be estimated on a case-by-case basis.

Under 25 Pa. Code § 77.202 (relating to determination of bond amount), the Department is providing notice of the bond schedule for noncoal surface mine sites.

The bond schedule reflects the requirement that the amount of bond shall be the estimated cost to the Department if it had to complete the reclamation, restoration and abatement work under the Noncoal Surface Mining Conservation and Reclamation Act. The rates will become effective upon publication and will remain in effect until they are revised through a subsequent notice.

The bond rate schedules are available at [www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Bonding/Pages/default.aspx](http://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Bonding/Pages/default.aspx). For background information and supporting documentation regarding bonding rate

schedules, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

*General Methodology*

The basic approach to bonding large noncoal sites is to apply a flat per-acre rate (to cover minor grading and revegetation) and supplement that with bond to account for spoil storage, backfilling, highwall blasting, demolition or other site-specific costs. For mine sites where consolidated material is mined below the water table, the reclamation bond calculation must account for reclamation slopes to a depth of 50 feet below the anticipated postmining water level.

For sites that can be mined in lateral phases, the operator can choose to bond the permit area in phases. The operator must identify the portion of the permit area on which mining and reclamation activities will occur within the phase. The Department will calculate the bond liability based on the maximum portion of the permitted area that the permittee is authorized to disturb at any specific time. This area is described in the permittee's mining and reclamation plans and must include all the land affected by mining activities that is not planted, growing and stabilized.

*Per-Acre Rates—Applicable to Disturbed (Not Reclaimed) Area*

\$3,500 per acre for mining area (This rate includes select grading and revegetation.)

\$1,830 per acre for support areas (This rate includes revegetation.)

*Spoil Storage/Earthmoving*

The rate of \$1.05 (cost per cubic yard) for grading applies to spoil stored or other additional earthmoving (for example, backfilling for contour mines, subsoil replacement where more than 12 inches of soil is needed to meet post-mining land use or topsoil placement).

*Blasting to Achieve the Reclamation Slope*

The following rates apply to highwalls where blasting is necessary to achieve the final slope. Blaster's estimates may be used instead of these rates.

**Table 1**

**Highwall/Bench Height (Feet) Cost per Linear Foot of Highwall/Bench**

Up to 20	\$10
21 up to 30	\$20
31 up to 40	\$40
41 up to 50	\$55
>50	\$75

*Mine Sealing*

Mine sealing costs should be calculated using the Bond Rate Schedule in Table 2.

**Table 2**

**Mine Sealing Bond Rate Schedule<sup>1</sup>**

<i>Sealing Underground Mine Drift and Slope Openings</i>		
<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Work	Cubic Yard	114.00
Masonry Work	Square Foot	16.50

<i>Sealing Underground Mine Drift and Slope Openings</i>		
<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Fill Material and Earthwork	Cubic Yard	19.00
Security Fencing	Lineal Foot	32.50
Mobilization Cost	Job	4% of Total Amount

<i>Sealing Underground Mine Shaft Openings</i>		
<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Material	Cubic Yard	110.00
Aggregate Material	Cubic Yard	32.50
Fill Material and Earthwork	Cubic Yard	8.50
Security Fencing	Lineal Foot	32.50
Mobilization Cost	Job	4% of Total Amount

<i>Sealing Boreholes at Underground Mines</i>		
<i>Dimension</i>	<i>Minimum Cost Per Hole (\$)</i>	<i>Unit Cost (\$) Per Lineal Foot</i>
12-Inch or Less Diameter	1,850	6.50
Larger than 12-Inch Diameter	2,450	9.00
Mobilization Cost	Job	4% of Total Amount

<sup>1</sup> Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment and labor costs from Bureau of Abandoned Mine Reclamation bid abstracts or from an industry-standard cost estimation publication, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

*Other Items*

A flat rate of \$3,800 will be used for each pond requiring reclamation. This rate includes dewatering, grading, topsoil replacement and revegetation.

Large equipment tires remaining at a site will be bonded at \$300 per tire.

Available cost information will be used in the event that a unit operation necessary to calculate a reclamation bond is not listed in the schedule. If enough data is not available, the rate will be set from a standard reference like *Means Building Construction Cost Data* or *Walker's Building Estimator's Reference Book*.

Demolition costs for structures that are not compatible with the post-mining land use will be calculated using these references. Structures that have reasonable post-mining uses do not require bonding.

*Mobilization*

Add 4% of the amount, up to \$40,000, for mobilization costs.

*Large Noncoal—Unconsolidated Material*

Mining of unconsolidated material includes sites where the mining is above and below groundwater. The cost of reclamation for these two types of mining include selective grading to achieve the reclamation slopes and the

safety bench around the water impoundment to meet the requirements of 25 Pa. Code § 77.594 (relating to final slopes).

The cost to grade the highwall to the approved reclamation slope above the groundwater table will be calculated based on the area of the highwall (determined by the length of highwall to be reclaimed multiplied by the horizontal width of the reclamation slope) to be reclaimed and the height of the highwall. The Department will use the following rates for bonding permits mining unconsolidated material:

- \$1,700 per acre for mining up to 35 feet
- \$2,400 per acre for 36 to 65 feet
- \$5,000 per acre over 65 feet

The cost to establish the safety bench on water impoundments will be calculated based on the area around the perimeter of the impoundment multiplied by the width of the safety bench. The Department will use \$1,700 per acre for bonding the safety bench.

The Department will use the Bond Rate Schedule for spoil, storage and earthmoving (cost per cubic yard) for sites that will use unmarketable material to achieve the reclamation contours on unconsolidated material mine sites.

#### *Small Noncoal Sites*

##### *Category 1: Small Noncoal Permits—Affected Area is 1 Acre or Less*

For all small noncoal permits with 1 acre or less affected at any time, the bond amount is \$1,500 (one acre affected) and an additional \$2,500 for mobilization/demobilization, for a total of \$4,000. These permits meet the 25 Pa. Code § 77.108(e)(4) (relating to permit for small noncoal operations), standard for concurrent reclamation with no more than 1 acre affected at any time.

##### *Category 2: Small Noncoal Permits with Greater than 1 Acre Affected—Consolidated Material*

For small noncoal permits with greater than 1 acre affected at any time, the following rates\* apply:

- \$1,830 per acre for support
- \$3,000 per acre for mining up to 35 feet total depth
- \$4,000 per acre for 36 to 65 feet total depth
- \$5,000 per acre over 65 feet total depth

An additional \$2,500 for mobilization/demobilization must be included.

\*These rates assume the highwalls will be blasted for reclamation. Costs for backfilling may be applicable to some sites for which the “Spoil Storage/Earthmoving” rate for noncoal operations will apply.

##### *Category 3: Small Noncoal Permits with Greater than 1 Acre Affected—Unconsolidated Material*

For sand and gravel pits and topsoil mines where the operator has received Department approval for mineral extraction over 1 acre, as specified in 25 Pa. Code § 77.108(e)(4), a flat rate of \$3,500 per acre should be used.

Category 1 and 2 rates apply to the General Permit for Bluestone (GP-105). Acreage to be rounded up to the nearest whole acre for all calculations.

*Effective Date:* This schedule will become effective upon publication.

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-355. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### **Proposed Revised General Plan Approval and/or General Operating Permit for Coal-Mine Methane Enclosed Flares (BAQ-GPA/GP-21); Public Comment Opportunity; (2700-PM-BAQ0029c)**

The Department of Environmental Protection (Department) announces the opportunity for public comment on the proposed revised General Plan Approval and/or General Operating Permit for Coal-Mine Methane Enclosed Flares (BAQ-GPA/GP-21).

Notice of availability of related documents and opportunity to submit comments for revised GP-21 will be published in the *Pennsylvania Bulletin* and in six newspapers of general circulation and sent to nearby states and the United States Environmental Protection Agency in full compliance with 25 Pa. Code § 127.612(a) (relating to public notice and review period).

GP-21 was originally published in the *Pennsylvania Bulletin* at 53 Pa.B. 6005 (September 23, 2023) and available for authorization on September 23, 2023. Based on additional information that was presented to the Department after September 23, 2023, the Department has decided to propose changes based on that information.

The proposed revised General Permit contains a revision to the Best Available Technology requirement for nitrogen oxide emissions and an added option for installing a continuous methane monitor. The proposed revised nitrogen oxide (NOx) emission limit is 0.15 lbs/MMBtu.

Relevant documents are available on the Department’s web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/) or by contacting David Clark, P.O. Box 8468, Harrisburg, PA 17105, (717) 772-3942, [davclark@pa.gov](mailto:davclark@pa.gov).

The Department must receive comments within 45 days from the date of this publication. Commentators are encouraged to submit comments using the Department’s eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the commentator’s name and address. Written comments may be mailed to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use “Proposed Revised GP-21” as the subject line in written communication.

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-356. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Sewage Advisory Committee Meeting Cancellation

The March 20, 2024, meeting of the Sewage Advisory Committee (Committee) is cancelled. The next scheduled Committee meeting date is September 18, 2024. Notice of any additional Committee meetings scheduled will be published in the *Pennsylvania Bulletin*.

Information about Committee meetings, including agendas, meeting materials and in-person and remote participation options, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water," then "Sewage Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Committee can be directed to Janice Vollerero at [jvollerero@pa.gov](mailto:jvollerero@pa.gov) or (717) 772-5157.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-2360 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-357. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Federally Qualified Health Center Alternative Payment Methodology

This notice announces an extension of an alternative payment methodology (APM) for services provided by qualified public Federally Qualified Health Centers (FQHC) and FQHC look-alikes operated by a city of the first class through March 31, 2029, subject to the approval of the Centers for Medicare & Medicaid Services (CMS). The APM will continue to provide additional funds to qualified FQHCs that provide a high volume of services to Medical Assistance (MA) beneficiaries to enable the FQHCs to maintain and expand access to health care services.

#### Background

Section 1902(bb)(1) of the Social Security Act (42 U.S.C. § 1396a(bb)(1)) provides for payment to FQHCs using a Prospective Payment System (PPS) methodology. For services provided to beneficiaries receiving services in a managed care delivery system, states must make supplemental payments equal to the amount the FQHC would have been paid under the PPS. See 42 U.S.C. § 1396a(bb)(5). States can also pay providers using an APM. See 42 U.S.C. § 1396a(bb)(6).

#### APM for FQHCs Operated by a City of the First Class

On July 24, 2019, CMS approved the Department of Human Services' (Department) request to implement an APM to pay qualifying FQHCs, located in and operated by a city of the first class and that agreed to the APM in writing, a Medical Assistance Encounter Rate (MAER) for medical services provided to MA beneficiaries for dates of service April 1, 2019, through March 31, 2022. On January 18, 2022, CMS approved the Department's request to continue this APM for dates of service April 1, 2022, through March 31, 2024.

Subject to the approval of CMS, the Department will continue to pay qualifying FQHCs, located in and operated by a city of the first class and that agree to the APM in writing, the FQHC's MAER as supplemental payments, effective on March 31, 2024, as applied to the number of medical services provided to MA beneficiaries for dates of service April 1, 2024, through March 31, 2029.

#### Fiscal Impact

The estimated annual fiscal impact, as a result of the continued funding allocation for these payments, is \$38.971 million in total funds.

#### Public Comment

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

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-1615. Under section 612 of The Administrative Code of 1929 (71 P.S. § 232), (1) General Fund; (2) Implementing Year 2023-24 is \$0; (3) 1st Succeeding Year 2024-25 is \$13,126,000; 2nd Succeeding Year 2025-26 through 5th Succeeding Year 2028-29 are \$17,502,000; (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. The executive budget proposal included funds to cover this increase.

[Pa.B. Doc. No. 24-358. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$160 Million Cash Blowout Instant Lottery Game 1682

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$160 Million Cash Blowout ("\$160 Million Cash Blowout"). The game number is PA-1682.

2. *Price:* The price of a \$160 Million Cash Blowout instant lottery game ticket is \$30.

3. *Play symbols:* Each \$160 Million Cash Blowout instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and five “MULTIPLIER” spots designated as “2X MULTIPLIER” spot, “5X MULTIPLIER” spot, “10X MULTIPLIER” spot, “20X MULTIPLIER” spot and “30X MULTIPLIER” spot. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Stack of Cash (CASH) symbol and a Vault (WINALL) symbol. The play symbols and prize amounts and their captions located in the five “MULTIPLIER” play spots are: NOMULT (TRYAGAIN), TRYAGAIN (NOMULT), NOMULT (TRYAGAIN), TRYAGAIN (NOMULT), NOMULT (TRYAGAIN), TRYAGAIN (NOMULT), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and a BLOWOUT (MLTPLY) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$3,000 (THR THO), \$30,000 (TRY THO), \$150,000 (HUNFTYTHO) and \$3MILL (THR MIL).

5. *Prizes:* The prizes that can be won in this game are: \$30, \$40, \$50, \$100, \$150, \$300, \$500, \$1,000, \$3,000, \$30,000, \$150,000 and \$3,000,000. For a complete description of how these prizes can be won, see section 8 (relating to number and description of prizes and approximate odds). A player can win up to 29 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 7,200,000 tickets will be printed for the \$160 Million Cash Blowout instant lottery game.

7. *Determination of prize winners:*

(a) Determination of prize winners for holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols are:

(1) 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 \$3 MILL (THR MIL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3,000,000. The prize shall be paid as a one-time, lump-sum cash payment.

(2) 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 \$150,000 (HUNFTYTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$150,000.

(3) Holders of tickets upon which a Vault (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in ten of the “prize” areas, a prize symbol of \$500 (FIV HUN) appears in eight of the “prize” areas, a prize symbol of \$150 (ONEHUNFTY) appears in six of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas, and upon which a BLOWOUT (MLTPLY) symbol appears in the “10X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$150,000.

(4) Holders of tickets upon which a Vault (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$30,000 (TRY THO) appears in four of the “prize” areas, a prize symbol of \$1,000 (ONE THO) appears in 20 of the “prize” areas and a prize symbol of \$3,000 (THR THO) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$143,000.

(5) 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 \$30,000 (TRY THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(6) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a BLOWOUT (MLTPLY) symbol appears in the “30X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$30,000.

(7) Holders of tickets upon which a Vault (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$300 (THR HUN) appears in 15 of the “prize” areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in seven of the “prize” areas, a prize symbol of \$150 (ONEHUNFTY) appears in one of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas and a prize symbol of \$40<sup>00</sup> (FORTY) appears in one of the “prize” areas, and upon which a BLOWOUT (MLTPLY) symbol appears in the “5X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$25,000.

(8) 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 \$3,000 (THR THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(9) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$300 (THR HUN) appears in the “prize” area under that Stack of Cash (CASH) symbol, and upon which a BLOWOUT (MLTPLY) symbol appears in the “10X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$3,000.

(10) 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, and upon

which a BLOWOUT (MLTPLY) symbol appears in the "10X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$3,000.

(11) 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 \$150 (ONEHUNFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a BLOWOUT (MLTPLY) symbol appears in the "20X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$3,000.

(12) 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 BLOWOUT (MLTPLY) symbol appears in the "30X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$3,000.

(13) Holders of tickets upon which a Vault (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$150 (ONEHUNFTY) appears in ten of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in 15 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$3,000.

(14) Holders of tickets upon which a Vault (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in all 25 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$2,500.

(15) 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.

(16) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(17) 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 BLOWOUT (MLTPLY) symbol appears in the "10X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$1,000.

(18) 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 BLOWOUT (MLTPLY) symbol appears in the "20X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$1,000.

(19) Holders of tickets upon which a Vault (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "prize" areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in five of the "prize" areas and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(20) Holders of tickets upon which a Vault (WINALL) symbol appears in the "YOUR NUMBERS" area and a

prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "prize" areas and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in 15 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$850.

(21) Holders of tickets upon which a Vault (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in all 25 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$750.

(22) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(23) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(24) 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 BLOWOUT (MLTPLY) symbol appears in the "5X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$500.

(25) 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 BLOWOUT (MLTPLY) symbol appears in the "10X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$500.

(26) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a BLOWOUT (MLTPLY) symbol appears in the "10X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$400.

(27) 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.

(28) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$300 (THR HUN) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$300.

(29) 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 \$150 (ONEHUNFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a BLOWOUT (MLTPLY) symbol appears in the "2X MULTIPLIER" spot, on a single ticket, shall be entitled to a prize of \$300.

(30) 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>





(1) Holders of tickets upon which a prize amount of \$1,000 (ONE THO) appears in the “5X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$5,000.

(2) Holders of tickets upon which a prize amount of \$500 (FIV HUN) appears in the “10X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$5,000.

(3) Holders of tickets upon which a prize amount of \$100 (ONE HUN) appears in the “20X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$2,000.

(4) Holders of tickets upon which a prize amount of \$100 (ONE HUN) appears in the “10X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$1,000.

(5) Holders of tickets upon which a prize amount of \$50<sup>00</sup> (FIFTY) appears in the “20X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$1,000.

(6) Holders of tickets upon which a prize amount of \$30<sup>00</sup> (THIRTY) appears in the “30X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$900.

(7) Holders of tickets upon which a prize amount of \$100 (ONE HUN) appears in the “5X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$500.

(8) Holders of tickets upon which a prize amount of \$50<sup>00</sup> (FIFTY) appears in the “10X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$500.

(9) Holders of tickets upon which a prize amount of \$150 (ONEHUNFTY) appears in the “2X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$300.

(10) Holders of tickets upon which a prize amount of \$30<sup>00</sup> (THIRTY) appears in the “10X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$300.

(11) Holders of tickets upon which a prize amount of \$50<sup>00</sup> (FIFTY) appears in the “5X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$250.

(12) Holders of tickets upon which a prize amount of \$40<sup>00</sup> (FORTY) appears in the “5X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$200.

(13) Holders of tickets upon which a prize amount of \$30<sup>00</sup> (THIRTY) appears in the “5X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$150.

(14) Holders of tickets upon which a prize amount of \$50<sup>00</sup> (FIFTY) appears in the “2X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$100.

(15) Holders of tickets upon which a prize amount of \$40<sup>00</sup> (FORTY) appears in the “2X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$80.

(16) Holders of tickets upon which a prize amount of \$30<sup>00</sup> (THIRTY) appears in the “2X MULTIPLIER” spot, on a single ticket, shall be entitled to a prize of \$60.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>MULTIPLIER SPOTS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
\$30 w/ STACK OF CASH		\$30	12.5	576,000
\$30		\$30	20	360,000
\$40 w/ STACK OF CASH		\$40	20	360,000
\$40		\$40	25	288,000
\$50 w/ STACK OF CASH		\$50	27.27	264,000
\$50		\$50	150	48,000
\$50 × 2		\$100	300	24,000
\$50	2X w/ BLOWOUT	\$100	150	48,000
	\$50 w/ 2X SPOT	\$100	150	48,000
\$100 w/ STACK OF CASH		\$100	300	24,000
\$100		\$100	300	24,000
\$30 × 5		\$150	300	24,000
(\$30 w/ STACK OF CASH) + \$40	\$40 w/ 2X SPOT	\$150	300	24,000
((30 w/ STACK OF CASH) × 2) + \$30	\$30 w/ 2X SPOT	\$150	150	48,000
\$30	5X w/ BLOWOUT	\$150	150	48,000
	\$30 w/ 5X SPOT	\$150	150	48,000
\$150 w/ STACK OF CASH		\$150	300	24,000
\$150		\$150	300	24,000
\$30 × 10		\$300	12,000	600
\$50 × 6		\$300	12,000	600
(\$30 × 5) + \$50	\$50 w/ 2X SPOT	\$300	1,200	6,000

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<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>MULTIPLIER SPOTS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
(\$30 w/ STACK OF CASH) + \$30	5X w/ BLOWOUT	\$300	1,200	6,000
(\$50 w/ STACK OF CASH) + (\$30 × 2) + \$40	2X w/ BLOWOUT	\$300	1,200	6,000
\$30	10X w/ BLOWOUT	\$300	1,200	6,000
\$150	2X w/ BLOWOUT	\$300	1,200	6,000
	\$30 w/ 10X SPOT	\$300	1,200	6,000
	\$150 w/ 2X SPOT	\$300	857.14	8,400
\$300 w/ STACK OF CASH		\$300	1,200	6,000
\$300		\$300	12,000	600
\$50 × 10		\$500	24,000	300
\$100 × 5		\$500	24,000	300
\$30 × 10	\$40 w/ 5X SPOT	\$500	12,000	600
\$40 × 2	(\$50 w/ 2X SPOT) + (5X w/ BLOWOUT)	\$500	12,000	600
(((\$40 w/ STACK OF CASH) × 5) + \$50	2X w/ BLOWOUT	\$500	12,000	600
\$50	10X w/ BLOWOUT	\$500	12,000	600
\$100	5X w/ BLOWOUT	\$500	12,000	600
	\$50 w/ 10X SPOT	\$500	1,200	6,000
	\$100 w/ 5X SPOT	\$500	1,200	6,000
\$500 w/ STACK OF CASH		\$500	12,000	600
\$500		\$500	24,000	300
VAULT w/ (\$30 × 25)	\$50 w/ 5X SPOT	\$1,000	6,000	1,200
VAULT w/ ((\$40 × 10) + (\$30 × 15))	\$30 w/ 5X SPOT	\$1,000	6,000	1,200
VAULT w/ ((\$50 × 10) + (\$40 × 5) + (\$30 × 10))		\$1,000	6,000	1,200
\$100 × 10		\$1,000	120,000	60
\$40 × 2	(\$40 w/ 5X SPOT) + (10X w/ BLOWOUT)	\$1,000	60,000	120
(((\$40 w/ STACK OF CASH) × 10) + \$100	2X w/ BLOWOUT	\$1,000	60,000	120
(\$50 w/ STACK OF CASH) × 2	\$30 w/ 30X SPOT	\$1,000	12,000	600
\$50	20X w/ BLOWOUT	\$1,000	12,000	600
\$100	10X w/ BLOWOUT	\$1,000	60,000	120
	\$50 w/ 20X SPOT	\$1,000	12,000	600
	\$100 w/ 10X SPOT	\$1,000	30,000	240
\$1,000 w/ STACK OF CASH		\$1,000	120,000	60
\$1,000		\$1,000	120,000	60
VAULT w/ (\$100 × 25)	\$50 w/ 10X SPOT	\$3,000	720,000	10
VAULT w/ ((\$150 × 10) + (\$100 × 15))		\$3,000	720,000	10
\$100	30X w/ BLOWOUT	\$3,000	360,000	20
\$150	20X w/ BLOWOUT	\$3,000	360,000	20
\$300	10X w/ BLOWOUT	\$3,000	720,000	10
\$3,000		\$3,000	1,440,000	5
VAULT w/ ((\$300 × 15) + (\$30 × 7) + \$150 + \$100 + \$40)	(\$500 w/ 10X SPOT) + (5X w/ BLOWOUT)	\$30,000	720,000	10
(\$300 w/ STACK OF CASH) × 10	10X w/ BLOWOUT	\$30,000	720,000	10
\$1,000	30X w/ BLOWOUT	\$30,000	720,000	10

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>MULTIPLIER SPOTS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
\$30,000		\$30,000	1,440,000	5
VAULT w/ (( $\$30,000 \times 4$ ) + ( $\$1,000 \times 20$ ) + $\$3,000$ )	( $\$1,000$ w/ 5X SPOT) + ( $\$100$ w/ 20X SPOT)	\$150,000	1,440,000	5
VAULT w/ (( $\$1,000 \times 10$ ) + ( $\$500 \times 8$ ) + ( $\$150 \times 6$ ) + $\$100$ )	10X w/ BLOWOUT	\$150,000	1,440,000	5
$\$1,000 \times 5$	30X w/ BLOWOUT	\$150,000	1,440,000	5
\$150,000		\$150,000	1,440,000	5
\$3,000,000		\$3,000,000	1,440,000	5

Reveal a “Stack of Cash” (CASH) symbol, win prize shown under that symbol automatically.

Reveal a “Vault” (WINALL) symbol, win all 25 prizes shown!

MULTIPLIER SPOTS: Reveal a cash prize amount, multiply the amount shown by the multiplier for that spot and win that amount. Reveal a “BLOWOUT” (MLTPY) symbol in any spot, multiply any prize won in the YOUR NUMBERS area by the multiplier for that spot.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$160 Million Cash Blowout instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant 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 instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of \$160 Million Cash Blowout, prize money from winning \$160 Million Cash Blowout instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$160 Million Cash Blowout instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *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 \$160 Million Cash Blowout or through normal communications methods.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 24-359. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania CLUE™ Instant Lottery Game 1684

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania CLUE™ (“CLUE™”). The game number is PA-1684. CLUE™ is separated into four themed scenes: Study (“Scene 1”), Billiard Room (“Scene 2”), Library (“Scene 3”) and Ballroom (“Scene 4”). All scenes are organized under the same game and the same prize structure and no one scene is determinative of the prizes available to be won on any individual game ticket, or the Second-Chance Drawing entries provided for in section 10.

2. *Price:* The price of a CLUE™ instant lottery game ticket is \$5.

3. *Play symbols:* Each CLUE™ instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and one

“WHODUNIT WINALL” area containing a “SUSPECT” area and three “GUESS” areas designated as “GUESS # 1,” “GUESS # 2” and “GUESS # 3.”

(a) The play symbols and their captions located in the “WINNING NUMBERS” area in all four “Scenes” are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 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) and 30 (THIRT).

(b) The play symbols and their captions located the “YOUR NUMBERS” area of “Scene 1” are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 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) and a STUDY (5TIMES) symbol.

(c) The play symbols and their captions located the “YOUR NUMBERS” area of “Scene 2” are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 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) and a BILLIARDS (5TIMES) symbol.

(d) The play symbols and their captions located the “YOUR NUMBERS” area of “Scene 3” are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 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) and a LIBRARY (5TIMES) symbol.

(e) The play symbols and their captions located the “YOUR NUMBERS” area of “Scene 4” are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 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) and a BALLROOM (5TIMES) symbol.

(f) The play symbols and their captions located in the “SUSPECT” area and the “GUESS” area within the “WHODUNIT WINALL” area in all four “Scenes” are: Miss Scarlett (MISS SCARLETT) symbol, Mr. Green (MR. GREEN) symbol, Professor Plum (PROFESSOR PLUM) symbol, Colonel Mustard (COLONEL MUSTARD) symbol, Mr. Black (MR. BLACK) symbol, Solicitor Peacock (SOLICITOR PEACOCK) symbol and a Chef White (CHEF WHITE) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area of all four “Scenes” are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$25 (TWY FIV), \$40 (FORTY), \$50 (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$200,000 (TWOHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$25, \$40, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$200,000. For a complete description of how these prizes can be won, see section 9 (relating to number and description of prizes and approximate odds). A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 10,800,000 tickets will be printed for the CLUE™ instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a CLUE™ Drawing for which non-winning CLUE™ instant lottery game tickets may be eligible as provided in section 10.

8. *Determination of prize winners:*

(a) 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 \$200,000 (TWOHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200,000.

(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 \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which a STUDY (5TIMES) symbol, a BILLIARDS (5TIMES) symbol, a LIBRARY (5TIMES) symbol or a BALLROOM (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that STUDY (5TIMES) symbol, BILLIARDS (5TIMES) symbol, LIBRARY (5TIMES) symbol or BALLROOM (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any of the “GUESS” play symbols match the “SUSPECT” play symbol in the “WHODUNIT WINALL” area and a prize symbol of \$1,000 (ONE THO) appears in four of the “prize” areas, a prize symbol of \$200 (TWO HUN) appears in four of the “prize” areas and a prize symbol of \$50 (FIFTY) appears in four of the “prize” areas in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a STUDY (5TIMES) symbol, a BILLIARDS (5TIMES) symbol, a LIBRARY (5TIMES) symbol or a BALLROOM (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that STUDY (5TIMES) symbol, BILLIARDS (5TIMES) symbol, LIBRARY (5TIMES) symbol or BALLROOM (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any of the “GUESS” play symbols match the “SUSPECT” play symbol in the “WHODUNIT WINALL” area and a prize symbol of \$200 (TWO HUN) appears in four of the “prize” areas and a prize symbol of \$25 (TWY FIV) appears in eight of the “prize” areas in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$100 (ONE HUN) appears in eight of the "prize" areas and a prize symbol of \$50 (FIFTY) appears in four of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a STUDY (5TIMES) symbol, a BILLIARDS (5TIMES) symbol, a LIBRARY (5TIMES) symbol or a BALLROOM (5TIMES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that STUDY (5TIMES) symbol, BILLIARDS (5TIMES) symbol, LIBRARY (5TIMES) symbol or BALLROOM (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$200 (TWO HUN) appears in two of the "prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$100 (ONE HUN) appears in four of the "prize" areas, a prize symbol of \$25 (TWY FIV) appears in two of the "prize" areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in four of the "prize" areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in two of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$50 (FIFTY) appears in eight of the "prize" areas and a prize symbol of \$25 (TWY FIV) appears in four of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which a STUDY (5TIMES) symbol, a BILLIARDS (5TIMES) symbol, a LIBRARY (5TIMES) symbol or a BALLROOM (5TIMES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50 (ONE HUN) appears in the "prize" area under that STUDY (5TIMES) symbol, BILLIARDS (5TIMES) symbol, LIBRARY (5TIMES) symbol or BALLROOM (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$250.

(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 \$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.

(p) Holders of tickets upon which a STUDY (5TIMES) symbol, a BILLIARDS (5TIMES) symbol, a LIBRARY (5TIMES) symbol or a BALLROOM (5TIMES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$40 (FORTY) appears in the "prize" area under that STUDY (5TIMES) symbol, BILLIARDS (5TIMES)

symbol, LIBRARY (5TIMES) symbol or BALLROOM (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$50 (FIFTY) appears in two of the "prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$40 (FORTY) appears in three of the "prize" areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in seven of the "prize" areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in two of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$25 (TWY FIV) appears in four of the "prize" areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the "prize" areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in two of the "prize" areas and a prize symbol of \$40 (FORTY) appears in one of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which a STUDY (5TIMES) symbol, a BILLIARDS (5TIMES) symbol, a LIBRARY (5TIMES) symbol or a BALLROOM (5TIMES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$25 (TWY FIV) appears in the "prize" area under that STUDY (5TIMES) symbol, BILLIARDS (5TIMES) symbol, LIBRARY (5TIMES) symbol or BALLROOM (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$125.

(u) 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.

(v) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$25 (TWY FIV) appears in two of the "prize" areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which any of the "GUESS" play symbols match the "SUSPECT" play symbol in the "WHODUNIT WINALL" area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in eight of the "prize" areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the "prize" areas in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50 (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.

(y) Holders of tickets upon which a STUDY (5TIMES) symbol, a BILLIARDS (5TIMES) symbol, a LIBRARY

(5TIMES) symbol or a BALLROOM (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that STUDY (5TIMES) symbol, BILLIARDS (5TIMES) symbol, LIBRARY (5TIMES) symbol or BALLROOM (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40 (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.

(aa) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25 (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(bb) Holders of tickets upon which a STUDY (5TIMES) symbol, a BILLIARDS (5TIMES) symbol, a LIBRARY (5TIMES) symbol or a BALLROOM (5TIMES) symbol

appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that STUDY (5TIMES) symbol, BILLIARDS (5TIMES) symbol, LIBRARY (5TIMES) symbol or BALLROOM (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$25.

(cc) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(dd) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>WHODUNIT WINALL:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5		\$5	8.7	1,242,000
\$5 × 2		\$10	46.15	234,000
\$10		\$10	30	360,000
\$5 × 5		\$25	600	18,000
(\$5 × 3) + \$10		\$25	600	18,000
(\$10 × 2) + \$5		\$25	600	18,000
\$5 w/ 5 TIMES SYMBOL		\$25	35.29	306,000
\$25		\$25	600	18,000
\$5 × 8		\$40	600	18,000
\$10 × 4		\$40	600	18,000
\$25 + \$10 + \$5		\$40	600	18,000
(\$5 w/ 5 TIMES SYMBOL) + (\$5 × 3)		\$40	600	18,000
\$40		\$40	600	18,000
\$5 × 10		\$50	600	18,000
(\$5 w/ 5 TIMES SYMBOL) + \$25		\$50	600	18,000
\$10 w/ 5 TIMES SYMBOL		\$50	600	18,000
\$50		\$50	600	18,000
	WHODUNIT WINALL MATCH w/ ((\$10 × 8) + (\$5 × 4))	\$100	1,333	8,100
	WHODUNIT WINALL MATCH w/ ((\$25 × 2) + (\$5 × 10))	\$100	1,333	8,100
\$10 × 10		\$100	120,000	90
\$50 + \$40 + \$10		\$100	24,000	450
(((\$5 w/ 5 TIMES SYMBOL) × 2) + \$50		\$100	24,000	450
(((\$5 w/ 5 TIMES SYMBOL) × 4		\$100	24,000	450

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>WHODUNIT WINALL:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
(\$10 w/ 5 TIMES SYMBOL) + (\$5 w/ 5 TIMES SYMBOL) + (\$5 × 5)		\$100	24,000	450
(\$10 w/ 5 TIMES SYMBOL) × 2		\$100	24,000	450
\$100		\$100	120,000	90
	WHODUNIT WINALL MATCH w/ ((\$25 × 4) + (\$10 × 5) + (\$5 × 2) + \$40)	\$200	12,000	900
	WHODUNIT WINALL MATCH w/ ((\$40 × 3) + (\$10 × 7) + (\$5 × 2))	\$200	12,000	900
	WHODUNIT WINALL MATCH w/ ((\$50 × 2) + (\$10 × 10))	\$200	12,000	900
\$50 × 4		\$200	24,000	450
(((\$10 w/ 5 TIMES SYMBOL) × 2) + (\$25 × 4))		\$200	24,000	450
(\$25 w/ 5 TIMES SYMBOL) + ((\$5 w/ 5 TIMES SYMBOL) × 3)		\$200	24,000	450
\$40 w/ 5 TIMES SYMBOL		\$200	24,000	450
\$200		\$200	120,000	90
	WHODUNIT WINALL MATCH w/ ((\$50 × 8) + (\$25 × 4))	\$500	4,000	2,700
	WHODUNIT WINALL MATCH w/ ((\$100 × 4) + (\$25 × 2) + (\$10 × 4) + (\$5 × 2))	\$500	3,429	3,150
	WHODUNIT WINALL MATCH w/ ((\$200 × 2) + (\$10 × 10))	\$500	3,429	3,150
\$100 × 5		\$500	120,000	90
(((\$50 w/ 5 TIMES SYMBOL) × 2)		\$500	120,000	90
\$100 w/ 5 TIMES SYMBOL		\$500	24,000	450
\$500		\$500	120,000	90
	WHODUNIT WINALL MATCH w/ ((\$100 × 8) + (\$50 × 4))	\$1,000	2,160,000	5
	WHODUNIT WINALL MATCH w/ ((\$200 × 4) + (\$25 × 8))	\$1,000	2,160,000	5
(\$100 w/ 5 TIMES SYMBOL) + (\$100 × 5)		\$1,000	2,160,000	5
\$200 w/ 5 TIMES SYMBOL		\$1,000	2,160,000	5
\$1,000		\$1,000	2,160,000	5
	WHODUNIT WINALL MATCH w/ ((\$1,000 × 4) + (\$200 × 4) + (\$50 × 4))	\$5,000	2,160,000	5
\$1,000 w/ 5 TIMES SYMBOL		\$5,000	2,160,000	5
\$5,000		\$5,000	2,160,000	5
\$200,000		\$200,000	1,080,000	10



*SCENE 1:*

Reveal a "STUDY" (5TIMES) symbol, win 5 TIMES the prize shown under that symbol!

*SCENE 2:*

Reveal a "BILLIARDS" (5TIMES) symbol, win 5 TIMES the prize shown under that symbol!

*SCENE 3:*

Reveal a "LIBRARY" (5TIMES) symbol, win 5 TIMES the prize shown under that symbol!

*SCENE 4:*

Reveal a "BALLROOM" (5TIMES) symbol, win 5 TIMES the prize shown under that symbol!

WHODUNIT WINALL: When any GUESS matches the SUSPECT, win all 12 prizes shown in the YOUR NUMBERS area!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* The CLUE™ Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant and Fast Play lottery game tickets ("Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1684 CLUE™ (\$5) Instant lottery game tickets and PA-5231 CLUE™ (\$5) Fast Play lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.PAiLottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player's name as it appears on a valid government-issued identification or tax documents;

(ii) The player's date of birth;

(iii) The entire or last four digits of the player's Social Security Number, or comparable equivalent;

(iv) The player's address;

(v) The player's telephone number;

(vi) The player's email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, and entries submitted using any other method,

including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(7) Only one claimant per entry is allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one CLUE™ Second-Chance Drawing from among all qualifying Instant and Fast Play lottery game qualifying tickets. All time references are Eastern Prevailing Time.

(2) The entry period for qualifying PA-1684 CLUE™ Instant lottery game tickets will begin after 11:59:59 p.m. March 21, 2024 and will end at 11:59:59 p.m. May 9, 2024. The entry period for qualifying PA-5231 CLUE™ Fast Play lottery game tickets will begin after 4:59:59 a.m. March 22, 2024 and will end at 11:59:59 p.m. May 9, 2024. All entries received during the entry periods will be entered into the Drawing tentatively scheduled to be held between May 10, 2024 and May 24, 2024.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1684 CLUE™ (\$5) = five entries; and PA-5231 CLUE™ (\$5) = five entries.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first through the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(ii) The fourth through the fifty-third entries selected in the Drawing will be winning entries and the entrants

who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select one entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), Hasbro, Inc., Scientific Games, LLC and MDI Entertainment, LLC, (collectively "SG") and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within one (1) year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and one replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery terms and conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell CLUE™ instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant 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 instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of CLUE™, prize money from winning CLUE™ instant lottery game tickets will be retained by the Secretary for payment to the persons

entitled thereto. If no claim is made within 1 year of the announced close of the CLUE™ instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *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 CLUE™ or through normal communications methods.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-360. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cool Mom Club Instant Lottery Game 1685

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Cool Mom Club (“Cool Mom Club”). The game number is PA-1685.

2. *Price:* The price of a Cool Mom Club instant lottery game ticket is \$5.

3. *Play symbols:* Each Cool Mom Club instant lottery game ticket will contain one play area and one “COOL CASH” area. The play symbols and their captions located in the play 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 (TWNIN), 30 (THIRT), Flower (FLOWER) symbol and a Peace Sign (WINALL) symbol. The play symbols and their captions located in the “COOL CASH” area are: Purse (PURSE) symbol, Sun (SUN) symbol, Heart (HEART) symbol, Kiss (KISS) symbol, Candy (CANDY) symbol, Coffee (COFFEE) symbol, Bow (BOW) symbol, Gift (GIFT) symbol and a Butterfly (BTRFLY) symbol.

4. *Prize symbols:* The prize symbols and their captions located in the play area are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTEEN), \$20<sup>.00</sup> (TWENTY), \$50<sup>.00</sup> (FIFTY), \$75<sup>.00</sup> (SVY FIV), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$100,000(ONEHUNTHO). The prize symbols and their captions located in the “COOL CASH” area are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTEEN), \$20<sup>.00</sup> (TWENTY), \$50<sup>.00</sup> (FIFTY), \$75<sup>.00</sup> (SVY FIV), \$100 (ONE HUN), \$200 (TWO HUN) and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$50, \$75, \$100, \$200, \$500, \$1,000 and

\$100,000. The prizes that can be won in the “COOL CASH” area are: \$5, \$10, \$15, \$20, \$50, \$75, \$100, \$200 and \$500. For a complete description of how these prizes can be won, see section 8 (relating to number and description of prizes and approximate odds). A player can win up to 16 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 5,400,000 tickets will be printed for the Cool Mom Club instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize symbol of \$500 (FIV HUN) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$75<sup>.00</sup> (SVY FIV) appears in two of the “prize” areas, a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in five of the “prize” areas, a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in two of the “prize” areas and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in six of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$75<sup>.00</sup> (SVY FIV) appears in five of the “prize” areas, a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in five of the “prize” areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in four of the “prize” areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in ten of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(i) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize

symbol of \$200 (TWO HUN) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in all 15 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$150.

(m) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in 14 of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$80.

(q) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$75<sup>00</sup> (SVY FIV) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$75.

(r) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize symbol of \$75<sup>00</sup> (SVY FIV) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$75.

(s) Holders of tickets upon which a Peace Sign (WINALL) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in all 15 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$75.

(t) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of

\$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$15.

(y) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$15.

(z) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$10.

(aa) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(bb) Holders of tickets upon which a Flower (FLOWER) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that Flower (FLOWER) symbol, on a single ticket, shall be entitled to a prize of \$5.

(cc) Holders of tickets upon which a Butterfly (BTRFLY) symbol appears in the “COOL CASH” area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area to the right of that Butterfly (BTRFLY) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal a “Flower” (FLOWER) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>COOL CASH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
	\$5 w/ BUTTERFLY	\$5	20	270,000
\$5		\$5	24	225,000
\$5 × 2		\$10	150	36,000
	\$10 w/ BUTTERFLY	\$10	24	225,000

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<i>Reveal a "Flower" (FLOWER) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>COOL CASH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$10		\$10	150	36,000
\$5 × 3		\$15	600	9,000
\$5	\$10 w/ BUTTERFLY	\$15	150	36,000
\$10	\$5 w/ BUTTERFLY	\$15	150	36,000
	\$15 w/ BUTTERFLY	\$15	60	90,000
\$15		\$15	300	18,000
\$10 × 2		\$20	600	9,000
\$5 × 2	\$10 w/ BUTTERFLY	\$20	150	36,000
\$10 + \$5	\$5 w/ BUTTERFLY	\$20	150	36,000
\$15	\$5 w/ BUTTERFLY	\$20	150	36,000
	\$20 w/ BUTTERFLY	\$20	120	45,000
\$20		\$20	600	9,000
5 × 10		\$50	600	9,000
\$5 × 6	\$20 w/ BUTTERFLY	\$50	600	9,000
\$10 × 4	\$10 w/ BUTTERFLY	\$50	600	9,000
	\$50 w/ BUTTERFLY	\$50	600	9,000
\$50		\$50	600	9,000
PEACE SIGN w/ (\$5 × 15)		\$75	279.07	19,350
\$15 × 4	\$15 w/ BUTTERFLY	\$75	4,000	1,350
\$10 × 6	\$15 w/ BUTTERFLY	\$75	4,000	1,350
	\$75 w/ BUTTERFLY	\$75	4,000	1,350
\$75		\$75	6,000	900
PEACE SIGN w/ ((\$5 × 14) + \$10)	\$20 w/ BUTTERFLY	\$100	851.06	6,345
PEACE SIGN w/ ((\$10 × 5) + (\$5 × 10))		\$100	1,000	5,400
\$10 × 10		\$100	12,000	450
\$50 + \$20 + \$15 + \$5	\$10 w/ BUTTERFLY	\$100	2,400	2,250
	\$100 w/ BUTTERFLY	\$100	2,400	2,250
\$100		\$100	12,000	450
PEACE SIGN w/ (\$10 × 15)	\$50 w/ BUTTERFLY	\$200	4,800	1,125
PEACE SIGN w/ ((\$20 × 5) + (\$10 × 10))		\$200	4,800	1,125
(\$50 × 2) + (\$10 × 5)	\$50 w/ BUTTERFLY	\$200	24,000	225
	\$200 w/ BUTTERFLY	\$200	24,000	225
\$200		\$200	24,000	225
PEACE SIGN w/ ((\$50 × 4) + (\$10 × 10) + \$100)	\$100 w/ BUTTERFLY	\$500	120,000	45
PEACE SIGN w/ ((\$75 × 5) + (\$20 × 5) + (\$5 × 5))		\$500	120,000	45
\$50 × 10		\$500	120,000	45
(\$100 × 4) + (\$5 × 10)	\$50 w/ BUTTERFLY	\$500	120,000	45
	\$500 w/ BUTTERFLY	\$500	120,000	45
\$500		\$500	120,000	45
PEACE SIGN w/ ((\$75 × 2) + (\$50 × 5) + (\$20 × 2) + (\$10 × 6))	\$500 w/ BUTTERFLY	\$1,000	540,000	10

<i>Reveal a "Flower" (FLOWER) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>COOL CASH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
PEACE SIGN w/ ((\$100 × 5) + (\$50 × 10))		\$1,000	540,000	10
\$1,000		\$1,000	540,000	10
\$100,000		\$100,000	540,000	10

Reveal a "Peace Sign" (WINALL) symbol, win all 15 prizes shown!

COOL CASH: Reveal a "Butterfly" (BTRFLY) symbol, win prize shown to the right of that symbol automatically! COOL CASH is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Cool Mom Club instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant 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 instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Cool Mom Club, prize money from winning Cool Mom Club instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Cool Mom Club instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *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 Cool Mom Club or through normal communications methods.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 24-361. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania End Zone Cash Xpress Sports Game Terminal-Based Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based Xpress Sports game is Pennsylvania End Zone Cash ("End Zone Cash"). The game will commence at the discretion of the Secretary and will continue until the Secretary publicly announces a suspension or termination date.

2. *Effective date:* Effective for ticket sales occurring on or after March 19, 2024, the End Zone Cash game will be operated in accordance with the terminal-based lottery game regulations at 61 Pa. Code §§ 875.1—875.17 and this game notice and will continue until the Secretary publicly announces a suspension or termination date.

3. *Price:* The price of an End Zone Cash ticket is based on the amount the player selects to wager per drawing and the number of consecutive drawings the player selects. The minimum amount a player can wager per ticket is \$1. Players can wager up to \$20 per drawing for up to 20 consecutive drawings.

4. *Description of the End Zone Cash lottery game:*

(a) End Zone Cash is designed to give players the opportunity to win one prize for each play.

(b) Each End Zone Cash drawing is a simulation of eight different matchups between 16 different football teams. Each of the eight matchups will result in a winning team for that matchup.

(c) For each End Zone Cash drawing, the player must select the winning teams to win their matchup, also referred to as a "parlay." The player must choose at least three teams to parlay per drawing. Players can parlay up to a maximum of eight teams per drawing. No matchup can end in a tie.

(1) For the selected parlay to win, all of the teams that the player selected in that parlay must be among the eight winning teams selected in the drawing outcome, as described in section 6(b), below. The player cannot select both a team and its opponent as winning teams.

(2) If a single team in the player's parlay does not appear among the eight winning teams selected in the drawing outcome, the entire parlay does not win.

(3) *For example:* Team 1, Team 3 and Team 7 were selected as a three-team parlay to win their respective matchups. If all three selected teams win, the player wins the corresponding prize for that combination. If only two of the three teams win their matchups, there is no prize awarded.

(4) Each team, numbered from 1 to 16, will be randomly assigned a city name for each drawing, from among: Baltimore, Buffalo, Chicago, Cincinnati, Cleveland, Dallas, Denver, Green Bay, New England, New Orleans, New York, Philadelphia, Pittsburgh, San Francisco, Seattle and Washington. The assigned city name does not affect the team's chance to win.

(5) Each team number is assigned a specific chance to win their respective matchup, as follows:

Team 1: 75%	vs.	Team 16: 25%
Team 2: 70%	vs.	Team 15: 30%
Team 3: 68%	vs.	Team 14: 32%
Team 4: 65%	vs.	Team 13: 35%
Team 5: 63%	vs.	Team 12: 37%
Team 6: 60%	vs.	Team 11: 40%
Team 7: 55%	vs.	Team 10: 45%
Team 8: 50%	vs.	Team 9: 50%

(6) The player may select the Touchdown Multiplier option when wagering, as described in section 9 (relating to touchdown multiplier option), below. Players who selected the Touchdown Multiplier option and who win an End Zone Cash drawing prize will have the chance to multiply any prize won in that drawing, as described in section 9, below.

(7) Each drawing is independent of all other drawings and any prior drawings are not determinative of the outcome of any subsequent drawing.

(d) End Zone Cash game tickets may be purchased from an authorized retailer or at a Lottery self-service terminal.

(1) To purchase a ticket at an authorized retailer, a player may remit the purchase price and submit a completed End Zone Cash bet slip to the authorized retailer. Alternatively, a player may make their winning team selections, select the number of consecutive drawings for which the winning team selection should be entered, whether to select the Touchdown Multiplier option and select the play amount by verbally relaying the same to an authorized retailer.

(2) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player may insert a dollar amount equal to the total purchase price and a completed End Zone Cash bet slip into the self-service terminal. Alternatively, a player may make their winning team selections, select the number of consecutive drawings for which the winning team selections should be entered, whether to select the Touchdown Multiplier option and

select the play amount by manually entering the information into the Lottery self-service terminal.

(e) Players can win a prize identified in section 7 (relating to determination of prize winners and prizes available to be won).

(f) A player may purchase plays for up to 20 consecutive drawings in advance.

(g) An End Zone Cash ticket may not be canceled or voided once printed by the Lottery terminal, even if printed in error.

5. *End Zone Cash bet slip and ticket characteristics:*

(a) *End Zone Cash bet slip:*

(1) An End Zone Cash bet slip is an optically readable card issued by the Pennsylvania Lottery that a player may use to make play selections. When using an End Zone Cash bet slip, the player shall make selections in each of the following: the amount to play per drawing (Section 1 of the bet slip); the number of consecutive End Zone Cash drawings on which to wager (Section 2 of the bet slip); number of winning teams to parlay (Section 3 of the bet slip); which teams win their matchup (Section 4 of the bet slip); and whether to select the Touchdown Multiplier option (Section 5 of the bet slip).

(i) The amount per play for each outcome consists of the following options: \$1, \$2, \$3, \$4, \$5, \$10 and \$20.

(ii) The number of consecutive drawings that can be selected, are: 1, 2, 3, 4, 5, 10 and 20.

(iii) The number of winning teams to parlay that can be selected, are: 3, 4, 5, 6, 7 and 8.

(iv) The individual winning teams that can be selected, are: Team 1, Team 2, Team 3, Team 4, Team 5, Team 6, Team 7, Team 8, Team 9, Team 10, Team 11, Team 12, Team 13, Team 14, Team 15 or Team 16.

(2) End Zone Cash bet slips shall be available at no cost to the player.

(3) Plays shall be selected in accordance with the instructions printed on the End Zone Cash bet slip.

(4) An End Zone Cash bet slip has no pecuniary or prize value, does not constitute evidence of the purchase of a ticket or the numbers selected and may not be used to claim a prize.

(5) An End Zone Cash bet slip must be completed manually. The use of mechanical, electronic, computer generated or any other non-manual method of marking bet slips is prohibited.

(b) *End Zone Cash tickets:*

(1) An End Zone Cash ticket shall contain the date the ticket was purchased, the parlay selected, the team number selections, the number of consecutive drawings and the corresponding drawing number (also referred to as a "Draw ID") range selected, whether the Touchdown Multiplier option had been selected, the cost of the play, the total cost of the ticket and validation data.

(2) An End Zone Cash ticket shall be the only valid proof of the play or plays purchased and the only valid receipt for claiming a prize.

(3) An End Zone Cash ticket shall only be valid for the Draw ID or range of Draw IDs printed on the ticket.

(4) A separate End Zone Cash ticket shall be issued for each bet slip submitted and purchase price remitted.

6. *Time, place and manner of conducting drawings:*

(a) *Time of drawing:* End Zone Cash drawings are high frequency drawings occurring multiple times per day. End Zone Cash drawings will be held as determined and publicly announced by the Secretary.

(b) *Place and manner of conducting drawings:* End Zone Cash drawings will be conducted by the Lottery Central Computer System. The Lottery Central Computer System will select, at random, one outcome per drawing. Each outcome will consist of a selection of eight winning teams from the eight different matchups between the 16 different football teams in that drawing. The validity of a drawing will be determined solely by the Lottery.

7. *Determination of prize winners and prizes available to be won:*

(a) *Determination of Prize Winners:*

(1) Holders of tickets upon which all the player's selected teams match the winning teams in the outcome selected by the Lottery shall be the winner of a prize, as described in section 7(b) (related to prizes available to be won).

(2) The prizes for each drawing are based on a single prize table for each parlay, from three to eight, of teams selected to win their games, as described in section 4(c) above.

(3) The winning outcome for each drawing and the range of prizes available to be won for that winning outcome will be posted to the Lottery's publicly accessible web site and will be displayed visually at retail locations with monitors that display the drawings.

(b) *Prizes available to be won:*

(1) The prizes available to be won for End Zone Cash will range from \$2<sup>00</sup> to \$2,500<sup>00</sup> per each \$1 played and vary based on the specific player wager selections for each individual drawing.

(2) The prize table for each parlay is based on a \$1 play. To determine the prize for a winning ticket, the player must multiply the prize amount in the prize table by the player's wager.

(c) The number of prize categories and the allocation of prize money among the prize categories may be changed at the discretion of the Secretary and changes will be announced by public notice. Any such changes will apply prospectively to End Zone Cash drawings as of the date specified in the public notice.

8. *Probability of winning:* The consolidated prize table for End Zone Cash is as follows:

<i>Number of Teams:</i>	<i>MINIMUM</i>		<i>MAXIMUM</i>	
	<i>Chances are:</i>	<i>Prizes:</i>	<i>Chances are:</i>	<i>Prize:</i>
3 Team Parlay	1 in 2.8	\$2.00	1 in 41.67	\$30.00
4 Team Parlay	1 in 4.31	\$3.00	1 in 119.05	\$85.00
5 Team Parlay	1 in 6.84	\$5.00	1 in 321.75	\$225.00
6 Team Parlay	1 in 11.4	\$8.00	1 in 804.38	\$565.00
7 Team Parlay	1 in 20.73	\$15.00	1 in 1,788	\$1,250.00
8 Team Parlay	1 in 41.46	\$30.00	1 in 3,575	\$2,500.00

9. *Touchdown Multiplier option:*

(a) The Touchdown Multiplier option shall be available in association with the End Zone Cash game and will continue until the Secretary publicly announces a suspension or termination thereof. Players may purchase the Touchdown Multiplier option for the chance to multiply the result of a base End Zone Cash drawing win by 2, 3, 4, 5 or 10. The Secretary on occasion may announce, as a special promotion, multipliers greater than ten or other changes to features of the End Zone Cash Multiplier option.

(b) At the time of purchasing an End Zone Cash ticket from a Lottery retailer, a player may choose the Touchdown Multiplier option by marking the "YES" box for the Touchdown Multiplier on the bet slip. The Touchdown Multiplier option may be purchased, at the discretion of the player, by paying three times the base End Zone Cash play amount. For example, if the player purchases a \$1<sup>00</sup> base End Zone Cash play, the total cost of the wager with the Touchdown Multiplier option will cost \$3<sup>00</sup>.

(c) The Touchdown Multiplier will be determined by the total number of Touchdowns scored by all teams during the eight matches played for each drawing.

(d) End Zone Cash tickets that contain the Touchdown Multiplier option and one or more plays eligible for

prizes, as described in section 7 (relating to determination of prize winners and prizes available to be won), shall be entitled to a total prize calculated by multiplying the base End Zone Cash prize won by the End Zone Cash Multiplier value selected for the drawing in which the ticket was entered.

(e) The odds of a Touchdown Multiplier occurring in an End Zone Cash drawing are:

<i>End Zone Cash Multiplier Value</i>	<i>Odds of Occurring Per Play are 1 in</i>
2X	2
3X	5
4X	5.56
5X	11.11
10X	33.33

10. *Retailer Incentive and Marketing Promotion programs:*

(a) The Lottery may conduct a separate retailer incentive program for retailers who sell End Zone Cash tickets. The conduct of the program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).



(b) The Pennsylvania Lottery may conduct promotional drawings associated with the End Zone Cash game. End Zone Cash tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular End Zone Cash drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize or prizes and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible web site. A copy of the same will also be kept on file with the Lottery and will be available upon request.

(c) The Pennsylvania Lottery may conduct promotional payouts associated with the End Zone Cash game. End Zone Cash tickets will be imprinted with a promotional message used to alert the player holding the ticket of the promotional opportunity. The Secretary will announce the existence of the promotional payouts. A description of the available promotional prize payouts and the specific rules and other information necessary for the conduct of the promotional payouts will be posted to the Lottery's publicly accessible web site. A copy of the same will also be kept on file with the Lottery and will be available upon request.

(d) The Pennsylvania Lottery may conduct promotional activities to promote the sale of the End Zone Cash game, including offering tickets at a discounted price. Details of any such offering will be disseminated through media used to advertise or promote End Zone Cash or through normal communications methods.

11. *Unclaimed prize money:* For a period of 1 year from the date in which a prize is won, prize money from winning End Zone Cash game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the date on which the prize is won, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-362. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania EZ Grand Instant Lottery Game 1686

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania EZ Grand ("EZ Grand"). The game number is PA-1686.

2. *Price:* The price of an EZ Grand instant lottery game ticket is \$1.

3. *Play symbols:* Each EZ Grand instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: Vault (VAULT) symbol, Ring (RING) symbol, Piggy Bank (PIGBNK) symbol, Moneybag (MNYBAG) symbol, Star (STAR) symbol, Gold Bar (GOLD) symbol, Keys (KEYS) symbol, Stack of Coins (COINS) symbol, Chest (CHEST) symbol, Wallet (WALLET) symbol, Cash (CASH) symbol and an EZ (GRAND) symbol.

4. *Prize symbols:* The prize symbols and their captions located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$5, \$10, \$25, \$50, \$100, \$500 and \$1,000. For a complete description of how these prizes can be won, see section 8 (relating to number and description of prizes and approximate odds). A player can win up to five times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the EZ Grand instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which an EZ (GRAND) symbol appears in the play area and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that EZ (GRAND) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(b) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$25.

(f) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "prize" area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$2.

(i) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the “prize” area under that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1.

(j) Holders of tickets upon which a Cash (CASH) symbol appears in the play area and a prize symbol of FREE (TICKET) appears in the “prize” area under that

Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of one EZ Grand instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal a “Cash” (Cash) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
FREE	FREE \$1 TICKET	9.09	924,000
\$1 × 2	\$2	33.33	252,000
\$2	\$2	33.33	252,000
\$1 × 5	\$5	100	84,000
(\$1 × 3) + \$2	\$5	200	42,000
(\$2 × 2) + \$1	\$5	200	42,000
\$5	\$5	100	84,000
\$2 × 5	\$10	500	16,800
\$5 × 2	\$10	250	33,600
(\$1 × 3) + \$5 + \$2	\$10	333.33	25,200
(\$2 × 2) + \$5 + \$1	\$10	333.33	25,200
\$10	\$10	500	16,800
\$5 × 5	\$25	6,000	1,400
(\$5 × 3) + \$10	\$25	6,000	1,400
(\$10 × 2) + (\$2 × 2) + \$1	\$25	6,000	1,400
(\$10 × 2) + \$5	\$25	6,000	1,400
\$25	\$25	12,000	700
\$10 × 5	\$50	12,000	700
\$25 × 2	\$50	12,000	700
(\$10 × 2) + \$25 + \$5	\$50	12,000	700
\$50	\$50	12,000	700
\$25 × 4	\$100	120,000	70
\$50 × 2	\$100	120,000	70
(\$25 × 2) + \$50	\$100	120,000	70
\$100	\$100	120,000	70
\$100 × 5	\$500	840,000	10
\$500	\$500	840,000	10
\$1,000 w/ EZ SYMBOL	\$1,000	10,500	800

Reveal an “EZ” (GRAND) symbol, win \$1,000 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell EZ Grand instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant 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 instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of EZ Grand, prize money from winning EZ Grand instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the EZ Grand instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *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 EZ Grand or through normal communications methods.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-363. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Red Hot 5s Instant Lottery Game 1683

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Red Hot 5s (“Red Hot 5s”). The game number is PA-1683.

2. *Price:* The price of a Red Hot 5s instant lottery game ticket is \$10.

3. *Play symbols:* Each Red Hot 5s instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area, which includes 15 number symbols, three of which are designated as “5X SPOTS,” and one “BLAZIN’ BONUS” area. The “BLAZIN’ BONUS” area is played separately. The number symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16

(SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT) and a RED HOT (WINPRZ) symbol. The play symbols and prize amounts and their captions located in the “BLAZIN’ BONUS” area are: TRYAGAIN (NOBONUS) symbol, NOBONUS (TRYAGAIN) symbol, TRYAGAIN (NOBONUS) symbol, NOBONUS (TRYAGAIN) symbol, \$10 (TEN DOL), \$15 (FIFTEEN), \$20 (TWENTY), \$30 (THIRTY), \$50 (FIFTY), \$100 (ONE HUN) \$150 (ONEHUNFTY), \$200 (TWH HUN) and \$500 (FIV HUN).

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$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), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$30, \$50, \$100, \$150, \$200, \$500, \$1,000, \$5,000 and \$500,000. For a complete description of how these prizes can be won, see section 8 (relating to number and description of prizes and approximate odds). A player can win up to 16 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 10,800,000 tickets will be printed for the Red Hot 5s instant lottery game.

#### 7. Determination of prize winners:

(a) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$500,000 (FIVHUNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$500,000.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$5,000 (FIV THO) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols in a “5X” SPOT match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols in a “5X” SPOT match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols in a “5X” SPOT match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a prize amount of \$500 (FIV HUN) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which a prize amount of \$200 (TWO HUN) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$150 (ONEHUNFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$150.

(o) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$150 (ONEHUNFTY) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$150.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols in a “5X” SPOT match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$150.

(q) Holders of tickets upon which a prize amount of \$150 (ONEHUNFTY) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$150.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols in a “5X” SPOT match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a prize amount of \$100 (ONE HUN) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols in a “5X” SPOT match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which a prize amount of \$50 (FIFTY) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$30.

(aa) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets upon which a prize amount of \$30 (THIRTY) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$30.

(cc) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which a prize amount of \$20 (TWENTY) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$15.

(gg) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$15.

(hh) Holders of tickets upon which a prize amount of \$15 (FIFTEEN) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$15.

(ii) Holders of tickets upon which any of the “YOUR NUMBERS” number symbols match any of the “WIN-

NING NUMBERS” number symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$10.

(jj) Holders of tickets upon which a RED HOT (WINPRZ) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under that RED HOT (WINPRZ) symbol, on a single ticket, shall be entitled to a prize of \$10.

(kk) Holders of tickets upon which a prize amount of \$10 (TEN DOL) appears in the “BLAZIN’ BONUS” area, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>BLAZIN’ BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
	\$10	\$10	25	432,000
\$10 w/ RED HOT		\$10	17.14	630,000
\$10		\$10	150	72,000
	\$15	\$15	75	144,000
\$15 w/ RED HOT		\$15	40	270,000
\$15		\$15	120	90,000
\$10 × 2		\$20	120	90,000
\$10	\$10	\$20	28.57	378,000
	\$20	\$20	60	180,000
\$20 w/ RED HOT		\$20	600	18,000
\$20		\$20	600	18,000
\$10 × 3		\$30	600	18,000
\$15 × 2		\$30	600	18,000
\$15	\$15	\$30	300	36,000
(\$10 w/ RED HOT) × 2	\$10	\$30	200	54,000
\$30 w/ RED HOT		\$30	60	180,000
\$30		\$30	600	18,000
\$10 × 5		\$50	600	18,000
(((\$10 w/ RED HOT) × 2) + (\$10 × 2))	\$10	\$50	600	18,000
(\$20 w/ RED HOT) + (\$10 w/ RED HOT)	\$20	\$50	600	18,000
	\$50	\$50	600	18,000
\$10 w/ 5X SPOT		\$50	200	54,000
\$50 w/ RED HOT		\$50	600	18,000
\$50		\$50	600	18,000
\$20 × 5		\$100	600	18,000
(\$10 w/ 5X SPOT) + (\$10 w/ RED HOT) + \$10	\$30	\$100	600	18,000
	\$100	\$100	600	18,000
\$20 w/ 5× SPOT		\$100	600	18,000
\$100 w/ RED HOT		\$100	600	18,000
\$100		\$100	600	18,000
\$50 × 3		\$150	4,000	2,700
(\$10 w/ 5X SPOT) × 3		\$150	800	13,500

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>BLAZIN' BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$20 w/ 5X SPOT	\$50	\$150	2,400	4,500
	\$150	\$150	12,000	900
\$30 w/ 5X SPOT		\$150	2,400	4,500
\$150 w/ RED HOT		\$150	6,000	1,800
\$150		\$150	12,000	900
\$50 × 4		\$200	12,000	900
\$100 × 2		\$200	12,000	900
(\$10 w/ 5X SPOT) + ((\$10 w/ RED HOT) × 10) + (\$20 × 2)	\$10	\$200	6,000	1,800
(((\$10 w/ 5X SPOT) × 3) + (\$10 × 3))	\$20	\$200	6,000	1,800
\$30 w/ 5X SPOT	\$50	\$200	6,000	1,800
	\$200	\$200	12,000	900
\$200 w/ RED HOT		\$200	24,000	450
\$200		\$200	24,000	450
\$100 × 5		\$500	24,000	450
(((\$30 w/ 5X SPOT) × 3) + ((\$10 w/ RED HOT) × 3))	\$20	\$500	3,000	3,600
(\$50 w/ 5X SPOT) + ((\$10 w/ 5X SPOT) × 2) + (\$10 × 12)	\$30	\$500	3,000	3,600
	\$500	\$500	24,000	450
\$100 w/ 5X SPOT		\$500	3,000	3,600
\$500 w/ RED HOT		\$500	120,000	90
\$500		\$500	120,000	90
\$100 × 10		\$1,000	120,000	90
(((\$20 w/ 5X SPOT) × 3) + ((\$30 w/ RED HOT) × 5) + \$50)	\$500	\$1,000	40,000	270
(((\$30 w/ 5X SPOT) × 3) + (\$150 × 2) + (\$10 × 5))	\$200	\$1,000	30,000	360
(\$100 w/ 5X SPOT) × 2		\$1,000	120,000	90
\$200 w/ 5X SPOT		\$1,000	120,000	90
\$1,000 w/ RED HOT		\$1,000	120,000	90
\$1,000		\$1,000	120,000	90
\$1,000 w/ 5X SPOT		\$5,000	1,080,000	10
\$5,000		\$5,000	1,080,000	10
\$500,000		\$500,000	1,080,000	10

When a matching number is in a 5X SPOT, win 5 TIMES the PRIZE shown under the matching number.

Reveal a "RED HOT" (WINPRZ) symbol, win PRIZE shown under that symbol automatically.

BLAZIN' BONUS: Reveal a cash prize amount, win that amount! BLAZIN' BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Red Hot 5s instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant 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 instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Red Hot 5s, prize money from winning Red Hot 5s instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Red Hot 5s instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *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 Red Hot 5s or through normal communications methods.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 24-364. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### State Transportation Innovation Council Business Meeting

The State Transportation Innovation Council will hold its virtual business meeting on Thursday, March 21, 2024, from 1 p.m. to 3 p.m. For more information, including an agenda and registration, contact Jaclyn Huss, (717) 787-2360, jahuss@pa.gov.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 24-365. Filed for public inspection March 15, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Watercraft Trailer Forfeiture; Maximum Amount

Chapter 73, Subchapter B of 75 Pa.C.S. (relating to watercraft trailer forfeiture) applies only to a watercraft trailer with a resale value based upon established industry standards equal to or less than the maximum amount set forth in 75 Pa.C.S. § 7321(c) (relating to scope of subchapter and legislative intent). Subsection 7321(c) of 75 Pa.C.S. provides that for the year 2006, the maximum amount will be \$1,000 and for each year thereafter, the

maximum amount will be fixed annually by the Department of Transportation (Department) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. Section 7321(c) of 75 Pa.C.S. further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and the Department will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*.

Under 75 Pa.C.S. § 7321(c)(3), the Department has fixed the maximum amount for 2024 as \$1,530.

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 24-366. Filed for public inspection March 15, 2024, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Coalition to Save Old Crow Wetland v. Department of Environmental Protection and M & G Realty, Inc., Permittee; EHB Doc. No. 2024-061-BP

Coalition to Save Old Crow Wetland has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PAD310013 authorizing discharge of stormwater in Smithfield Township, Huntingdon County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board's web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available online and upon request from the Board.

STEVEN C. BECKMAN,  
*Chairperson*

[Pa.B. Doc. No. 24-367. Filed for public inspection March 15, 2024, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Eric Oliver v. Department of Environmental Protection and M & G Realty, Inc., Permittee; EHB Doc. No. 2024-063-BP

Eric Oliver has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PAD310013 authorizing discharge of stormwater in Smithfield Township, Huntingdon County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested

person through the Board’s web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board’s rules of practice and procedure are available online and upon request from the Board.

STEVEN C. BECKMAN,  
*Chairperson*

[Pa.B. Doc. No. 24-368. Filed for public inspection March 15, 2024, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Boat and Marine Forfeiture; Maximum Amount

Chapter 53, Subchapter C of 30 Pa.C.S. (relating to boat and marine forfeiture) applies only to boats and related equipment with a resale value based upon estab-

lished industry standards equal to or less than the maximum amount set forth in 30 Pa.C.S. § 5331(c) (relating to scope of subchapter). This subsection provides that for the year 2006, the maximum amount will be \$5,000 and for each year thereafter, the maximum amount will be fixed annually by the Fish and Boat Commission (Commission) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The subsection further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and that the Commission will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*. The Commission previously fixed the maximum amount for 2023 at \$7,435.

Under 30 Pa.C.S § 5331(c), the Commission has fixed the maximum amount for 2024 as \$7,740.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 24-369. Filed for public inspection March 15, 2024, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-335	Pennsylvania Public Utility Commission Rulemaking Regarding Hazardous Liquid Public Utility Safety Standards at 52 Pa. Code Chapter 59; Notice of Proposed Rulemaking	02/28/24	04/18/24

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-370. Filed for public inspection March 15, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Decrease in Underwriting Authority of Everett Cash Mutual Insurance Co.

Everett Cash Mutual Insurance Co. (Everett), a Commonwealth domiciled mutual property insurance company, has filed an application to decrease its lines of underwriting authority. The class of authority that Everett is applying to delete is accident and health, as defined by section 202(c)(2) of The Insurance Company Law of 1921 (40 P.S. § 382(c)(2)). The filing was made under the requirements of section 322 of The Insurance Company Law of 1921 (40 P.S. § 445).

Persons wishing to comment on the grounds of public or private interest to the application are invited to submit a

written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [syarger@pa.gov](mailto:syarger@pa.gov).

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-371. Filed for public inspection March 15, 2024, 9:00 a.m.]



## INSURANCE DEPARTMENT

### Highmark Request for Modification of the Commissioner's Approving Determination and Order (Order No. ID-RC-13-06) Dated April 29, 2013, as Modified July 28, 2017; Public Informational Hearing; Notice 2024-02

The Insurance Department (Department) will hold a public informational hearing regarding Highmark Health's (Highmark) request for modification of the Department's Approving Determination and Order dated April 29, 2013, (Order No. ID-RC-13-06) (2013 Order) under Condition 27 of the 2013 Order, as modified.

The request for modification was filed with the Department on October 16, 2023, and is available on the Department's web site at <https://www.insurance.pa.gov/Companies/IndustryActivity/CorporateTransactionsOfPublicInterest/Pages/Highmark-Modification-Request.aspx>. Written comments were accepted under Notice 2023-17 and Notice 2023-20 for an extended period of 75 days, from December 2, 2023, through February 15, 2024. Comments received have been made part of the public record regarding this filing and are available on the Department's web site. Copies of the comments received were forwarded to Highmark for appropriate response. Highmark's responses are also available on the Department's web site.

Logistical details of this in-person public informational hearing are as follows:

*Date and Time:* Wednesday, May 1, 2024, beginning at 10 a.m., scheduled to conclude no later than 1 p.m.

*Location for In-person Attendance:* Capital Associates Building, 901 North 7th Street, Administrative Hearings Office, Harrisburg, PA. Directions to the Capital Associates Building are at <https://www.insurance.pa.gov/Regulations/Pages/Directions-to-CAB-Building.aspx>.

*Virtual Attendance:* The hearing is scheduled to be publicly viewable through remote access. The Department will not receive testimony remotely. Directions for remote access will be posted at <https://www.insurance.pa.gov/Companies/IndustryActivity/CorporateTransactionsOfPublicInterest/Pages/Highmark-Modification-Request.aspx> not less than 48 hours prior to the hearing.

*Recording:* The proceeding will be recorded by a court reporter.

*Nature of Hearing:* This in-person public informational hearing will provide for Highmark and Compass Lexecon to each make 15-minute oral presentations and then for interested persons to present comments relevant to this matter.

#### *Preregistration and Order of Speakers:*

*Preregister to Attend the Public Informational Hearing:* Persons attending the public informational hearing will be asked to sign in at the registration desk. To expedite signing in, the Department strongly encourages preregistration on or before Wednesday, April 24, 2024, by e-mail to Kimberly Sheaffer at [kimsheaffe@pa.gov](mailto:kimsheaffe@pa.gov). Preregistration is not required. An advance copy of the agenda will be distributed to persons who preregister to attend the public informational hearing.

*Preregister to Speak at the Public Informational Hearing:* Interested persons wishing to present comments should register in advance as previously stated, indicating an intent to present comments. Walk-ins will be accepted, time permitting. The Department anticipates scheduling 5—10-minute time slots per individual but will take into account other factors.

*Submission of Written Comments:* After preregistering online to speak, submit advance copies of comments to Kimberly Sheaffer at [kimsheaffe@pa.gov](mailto:kimsheaffe@pa.gov). The Department requests that individuals who do not preregister provide a written copy of their testimony the day of the hearing.

*Order of Speakers:* It is anticipated that speakers will be heard in the following order:

- (a) Highmark.
- (b) Compass Lexecon.
- (c) Preregistered speakers who filed written comments by April 24, 2024.
- (d) Preregistered speakers who did not file written comments by April 24, 2024.
- (e) Same day walk-in requests to speak, time permitting.
- (f) Speakers who wish to present additional comments, time permitting.

*ADA Notice:* Individuals who require the assistance of auxiliary aids or services to participate in or attend this public informational hearing, whether in-person or through remote viewing, should call the Director of the Bureau of Administration at (717) 787-4298. Individuals who are hearing impaired should call the Department, TTY/TDD (717) 783-3898.

*Updates:* The Department encourages the public to check the Department's web site for updates. Additional details concerning the informational hearing, such as the availability to view the proceeding remotely, will be posted on the web site as the time for the hearing approaches.

Questions regarding this notice should be directed to Kimberly Sheaffer by e-mail at [kimsheaffe@pa.gov](mailto:kimsheaffe@pa.gov) or by mail at Insurance Department, 1341 Strawberry Square, Harrisburg, PA 17120.

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-372. Filed for public inspection March 15, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Ebony Long; License Denial Appeal; Doc. No. AG24-02-024

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Ebony Long has appealed the denial of the application for a 1033 Written Waiver to engage in the business of insurance. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for April 9, 2024, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before April 5, 2024. A date for a hearing shall be determined, if necessary, at the prehearing conference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before March 26, 2024. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before April 5, 2024.

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

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-373. Filed for public inspection March 15, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Xiangchao Zhang; License Denial Appeal; Doc. No. AG24-02-014

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Xiangchao Zhang has appealed the denial of an application for an insurance producer's license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for April 11, 2024, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before April 9, 2024. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before March 28, 2024. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before April 9, 2024.

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

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-374. Filed for public inspection March 15, 2024, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-24-06, Dated February 14, 2024. Authorizes the International Union, United Government Security Officers of America, Local 304 bargaining unit (R1) Collective Bargaining Agreement (9/1/23—8/31/27). The CBA provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period September 1, 2023, through August 31, 2027.

Resolution No. CB-24-07, Dated February 14, 2024. Authorizes the International Union, United Government Security Officers of America, Local 304 meet-and-discuss unit (R2) Memorandum of Understanding (9/1/23—8/31/27). The MOU provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period September 1, 2023, through August 31, 2027.

Resolution No. CB-24-08, Dated February 28, 2024. Authorizes the summary of changes for the memorandum of understanding between the Commonwealth, PASSHE and the Pennsylvania Doctors Alliance signed on February 7, 2024. The Summary of Changes for the Memorandum of Understanding provides for the establishment of rates of pay, hours of work, and other conditions of employment for the period July 1, 2023, through June 30, 2027.

Resolution No. CB-24-09, Dated February 28, 2024. Authorizes the Summary of Changes for the Collective Bargaining Agreement between the Commonwealth, PASSHE and the Pennsylvania Doctors Alliance signed on January 23, 2024, covering the period July 1, 2019, through June 30, 2027.

#### *Governor's Office*

Administrative Circular No. 24-06—Approval of 2024-25 Advancement Accounts and Completion of Form STD-133, Request for Approval of Advancement Account, Dated February 15, 2024.

Administrative Circular No. 24-07—Closing Instructions No. 1, Fiscal Year 2023-24; Submission of Purchasing Documents, Dated February 7, 2024.

AMY J. MENDELSON,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 24-375. Filed for public inspection March 15, 2024, 9:00 a.m.]

## MILK BOARD

### Hearing and Presubmission Schedule for All Milk Marketing Areas; Over-Order Premium

Under the provisions of the Milk Marketing Law (31 P.S. §§ 700j-101—700j-1302), the Milk Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on May 1, 2024, at 10 a.m. in Room 309, Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

The purpose of the hearing is to receive testimony and exhibits concerning the level and duration of the Class I over-order premium.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 12 p.m. on March 26, 2024, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 12 p.m. on March 6, 2024, notification of their desire to be included as a party. Parties shall indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@pa.gov](mailto:deberly@pa.gov).

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. Copies of the filings will be available on the Board web site at <http://www.mmb.pa.gov/Public%20Hearings/>. Filing may be done by mail to the Board office or electronically to [deberly@pa.gov](mailto:deberly@pa.gov).

1. By 2 p.m. on April 2, 2024, the petitioner shall file with the Board one original or one electronic copy and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a written report or written testimony explaining the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on April 16, 2024, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on April 23, 2024, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively,

1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, five copies shall be provided for Board use and one copy shall be provided to each interested party.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing addressed to [deberly@pa.gov](mailto:deberly@pa.gov) and received in the Board office by 12 p.m. on April 17, 2024.

The filing address for the Board is Milk Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

BETSY ALBRIGHT,  
*Secretary*

[Pa.B. Doc. No. 24-376. Filed for public inspection March 15, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### General Rule Transaction

**A-2024-3047087 and A-2024-3047089. CBTS Technology Solutions, LLC and Cincinnati Bell Extended Territories, LLC, d/b/a altafiber connected services.** Joint application of CBTS Technology Solutions, LLC and Cincinnati Bell Extended Territories, LLC, d/b/a altafiber connected services for approval of a general rule transaction.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, April 1, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission (Commission) by means of eService on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or at 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection on the Commission's web site and at the applicant's business address.

*Joint Applicants:* CBTS Technology Solutions, LLC; Cincinnati Bell Extended Territories, LLC, d/b/a altafiber connected services

*Through and By Counsel:* Catherine G. Vasudevan, Morgan, Lewis & Bockius, LLP, 2222 Market Street, Philadelphia, PA 19103-3007, (215) 963-5000, fax (215) 963-5001, [catherine.vasudevan@morganlewis.com](mailto:catherine.vasudevan@morganlewis.com); Andrew D. Lipman, Joshua M. Bobeck, Danielle Burt, Morgan, Lewis & Bockius, LLP, 1111 Pennsylvania Avenue, NW, Washington, DC 20004-2541, (202) 739-3000, fax (202) 739-3001, [andrew.lipman@morganlewis.com](mailto:andrew.lipman@morganlewis.com), [joshua.bobeck@morganlewis.com](mailto:joshua.bobeck@morganlewis.com), [danielle.burt@morganlewis.com](mailto:danielle.burt@morganlewis.com); Mary Talbott, Chief Legal Officer, Cincinnati Bell, Inc., 221 East Fourth Street, Cincinnati, OH 45202, (513) 652-0313, [mary.talbott@altafiber.com](mailto:mary.talbott@altafiber.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-377. Filed for public inspection March 15, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Guidelines for Eligible Customer Lists; Docket No. M-2010-2183412

With this Secretarial Letter, the Commission seeks comments from interested parties regarding the guidelines for the Eligible Customer Lists (ECLs) that Electric Distribution Companies (EDCs) make available to Electric Generation Suppliers (EGSs) and that Natural Gas Distribution Companies (NGDCs) make available to Natural Gas Suppliers (NGSs). The ECL, in general, includes a listing of those utility customers eligible for choice, along with customer addresses, rate class and load information.<sup>1</sup> Specifically, the Commission is interested in comments concerning the use of electronic methods to deliver communications to customers concerning the ECL, and the use of electronic methods for customers to respond to the utility with their ECL preferences.

#### *Background*

The Commission implemented the ECL via Order entered November 12, 2010, at Docket No. M-2010-2183412, outlining interim guidelines for EDCs' provision of ECLs. That Order provided for uniform categories of customer information to be made available to EGSs by EDCs and addressed customers' ability to restrict the inclusion of their information in the ECL.

On November 10, 2011, the Commission entered a Final Order on Reconsideration updating the interim ECL guidelines. Following subsequent processes, including informal and formal comments, the Commission adopted final ECL guidelines through the ECL Order on October 23, 2014. In relevant part, the ECL Order directs EDCs to conduct a solicitation every three years, beginning in the first quarter of 2015, to update their ECLs. These solicitations provide customers an opportunity to restrict the inclusion of their information in the ECL that is provided to EGSs. Customers who do not respond to a solicitation are automatically included in the ECL unless they otherwise request to be excluded.

On August 15, 2013, the Commission entered a Final Order at Docket No. M-2012-2324075 establishing analogous requirements for Natural Gas Distribution Companies (NGDCs). Like the EDC-related Order noted above, the NGDCs were directed to conduct a solicitation every three years to update their ECLs and to provide customers an opportunity to restrict the inclusion of their information that is provided to NGSs.

On October 30, 2020, Duquesne filed a petition for a waiver (2021 ECL Petition) with the Commission at Docket No. P-2020-3022674 to expand email ECL service to include "e-communication customers" in addition to e-Billing customers for its 2021 ECL solicitation. E-communication customers are those residential customers who have not registered for e-Billing but have provided their email address to Duquesne and consented to receive electronic communications. The 2021 ECL Petition pertained only to the 2021 triennial ECL solicitation.

In the January 14, 2021 Order granting the 2021 ECL Petition (January 14, 2021 Order), the Commission determined that it was in the public interest to allow Duquesne to serve the 2021 ECL solicitation for

e-communications customers, finding, in part, that doing so would "reduce[el] costs, will provide useful analytical information on the effectiveness of ECL solicitation by email, and is consistent with consumer preferences." January 14, 2021 Order at p.7.

Pursuant to the January 14, 2021 Order, Duquesne conducted its 2021 triennial ECL solicitation electronically for customers who opted-in to electronic mailings of certain communications but have not opted for electronic mailings of bills. On December 30, 2021, at Docket No. P-2020-3022674, Duquesne provided a report to the Commission and stakeholders, as directed by the January 14, 2021 Order, with an evaluation of the electronic ECL solicitation and lessons learned (December 2021 Report).

By Petition filed September 29, 2023, Duquesne asserted that because the ECL Order only pertained to the 2021 solicitation, additional clarification is needed for the 2024 and subsequent solicitations. Duquesne contended that granting their Petition would be in the public interest because it would better align the ECL solicitation method with customer expectations and preferences, enable enhanced solicitation tracking and messaging, and substantially reduce costs borne by customers. Moreover, considering the successes of their 2021 ECL solicitation, including the high open rate for email solicitations and Duquesne's actual cost savings, and Duquesne's efforts to increase customer engagement in 2024, it would be in the public interest to allow Duquesne to continue electronically distributing the ECL solicitations, including their 2024 ECL solicitation.

By a January 18, 2024 Opinion and Order (January 18, 2024 Order), the Commission granted, in part, and denied, in part, Duquesne's petition. The Commission found that allowing Duquesne to provide its solicitations to customers as requested would serve the public interest by reducing costs, providing useful analytical information on the effectiveness of ECL solicitation by email, and is consistent with consumer preferences. However, we agreed with the suggestions made by the OCA that Duquesne's request to expand email solicitation should only apply to the 2024 ECL solicitation period and not future solicitation periods, and that the request to expand email solicitation should apply only to Duquesne, and not to other EDCs. We further agreed with the OCA that we should initiate a proceeding to investigate the efficacy of email solicitation during the triennial ECL periods on a statewide basis and consider amendments to the current Interim Guidelines to better address consumers' preferences during future ECL solicitation periods. January 18, 2024 Order at p.8.

Accordingly, the Commission directed the Office of Competitive Market Oversight in conjunction with the Law Bureau to open a proceeding at Docket No. M-2010-2183412 to update the eligible customer list guidelines. January 18, 2024 Order at pp. 8-9. Further, while the January 18, 2024 Order was in reference to Duquesne Light and the EDCs and EGSs, we believe that it is appropriate to expand this proceeding to also consider the ECL guidelines for the NGDCs and NGSs, since the guidelines for the two industries are very similar and we think it is in the public interest to maintain consistency between the two industries as it relates to ECL processes. Similar processes will lessen the likelihood of confusion for consumers, utilities, and suppliers alike.

<sup>1</sup> Customer telephone numbers are not included on the ECL under any circumstances.

*Request for Comments*

The Commission is requesting comments from all interested parties on the guidelines that govern the ECL, especially the use of electronic methods in communicating with customers, in lieu of written notices sent via the U.S. Postal Service. We point parties to the above-noted January 18, 2024 Order for additional discussion and guidance on this topic. Upon review and consideration of the comments filed by the parties, the Commission will determine next steps in updating the ECL guidelines.

Interested parties are invited to file written comments at this docket within sixty (60) days of publication of this Secretarial Letter in the *Pennsylvania Bulletin*. Comments to this Secretarial Letter may be filed electronically through the Commission's e-filing system.<sup>2</sup> Alternatively, one original signed copy of comments may be filed with the Commission's Secretary at: Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 2nd Floor, 400 North Street, Harrisburg, PA 17120. All pages of filed comments, with the exception of a cover letter, must be numbered.

If you have any questions about this Secretarial Letter, please contact one of the following: Director of the Office of Competitive Market Oversight Daniel Mumford at dmumford@pa.gov or (717) 525-2084, Deputy Director of the Office of Competitive Market Oversight and Deputy Chief Counsel with the Law Bureau Kriss E. Brown at kribrown@pa.gov or (717) 787-4518.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-378. Filed for public inspection March 15, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Internal Merger

**A-2024-3047024. AT&T Corp. and AT&T Enterprises, Inc.** Joint application of AT&T Corp. and AT&T Enterprises, Inc. (collectively, AT&T) in which AT&T respectfully requests the Pennsylvania Public Utility Commission (Commission) to approve an internal merger between AT&T Corp. and AT&T Enterprises, Inc. (which will be renamed AT&T Enterprises, LLC immediately following completion of the merger).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, April 1, 2024. Filings must be made with the Secretary of the Commission by means of eService on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or at 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection on the Commission's web site and at the applicant's business address.

*Joint Applicants:* AT&T Corporation; AT&T Enterprises, Inc.

*Through and By Counsel:* Justin J. Watkins, Partner, Faegre Drinker Biddle & Reath, LLP, One Logan Square, Suite 2000, Philadelphia, PA 19103, (215) 988-2593;

<sup>2</sup> <https://www.puc.pa.gov/efiling/default.aspx>.

Joseph Monaghan, AT&T, One AT&T Way, N3A13, Bedminster, NJ 07921, (908) 532-6317

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-379. Filed for public inspection March 15, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Natural Gas Service

**A-2024-3047056. Columbia Gas of Pennsylvania, Inc.** Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to five active residential premises and one inactive residential premises in Westmoreland County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 1, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or they may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

*Applicant:* Columbia Gas of Pennsylvania, Inc., 121 Champion Way, Suite 100, Canonsburg, PA 15317

*Through and By Counsel for:* Candis A. Tunilo, Esquire, 800 North Third Street, Suite 204, Harrisburg, PA 17102, [ctunilo@nisource.com](mailto:ctunilo@nisource.com); Theodore J. Gallagher, Esquire, 121 Champion Way, Suite 100, Canonsburg, PA 15317, [tjgallagher@nisource.com](mailto:tjgallagher@nisource.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-380. Filed for public inspection March 15, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility

Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 1, 2024. 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 April 1, 2024. 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 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-2023-3043315. Vida Quard Transportation, Inc.** (2314 North Front Street, Philadelphia, PA 19133) in paratransit service, limited to service for Pennsylvania Managed Care organizations, between points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia.

**A-2024-3046750. Grace Human Services, LLC** (1313 North 52nd Street, 1st Floor Front, Philadelphia, Philadelphia County, PA 19131) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to individuals aged 18 years or older who are physically and intellectually disabled, between points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia.

**Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.**

**A-2024-304710. PTM Transportation, LLC** (800 Lincoln Avenue, Marmora, Cape May County, NJ 08223) for the right to begin to arrange transportation of passengers, between points in Pennsylvania. *Attorney:* Kenneth R. Stark, Esquire, McNees Wallace & Nurick, 100 Pine Street, Harrisburg, PA 17101.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-381. Filed for public inspection March 15, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due April 1, 2024, and must be made with the Secretary, Pennsylvania Public Utility Commission,

400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Cooper Transportation, LLC; Docket No. C-2024-3040680

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Cooper Transportation, LLC, Respondent, maintains a mailing address of 28 W. Upper Ferry Rd., Ewing, NJ 08628.
2. On May 5, 2023, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code no. 8926174 at A-2023-3040045.
3. On November 15, 2023, PUC Enforcement Officer Michael Johncola was assigned a Safety Fitness Review for Cooper Transportation, LLC. Officer Johncola conducted a search of PUC records and discovered an insurance lapse and suspension letter dated November 4, 2023. Officer Johncola spoke to the carrier owner, Davone Cooper, who indicated that he was no longer operating. Officer Johncola advised the carrier of the cancellation of certificate process.
4. As of January 16, 2024, Officer Johncola discovered the carrier has failed to complete the process.
5. That Respondent, by failing to achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa. § 501(c) and, for failure to maintain adequate, efficient, and safe service and facilities, violated 66 Pa. § 1501. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8926174.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to Cooper Transportation, LLC at PUC utility code number 8926174.

Respectfully submitted,  
Andrew Turriziani, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
100 Lackawanna Avenue, Room 320  
Scranton, PA 18503

#### VERIFICATION

I, Andrew Turriziani, hereby state that the facts above set forth are true and correct to the best of my knowl-

edge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 24 January 2024

Andrew Turriziani, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
400 North Street, 3rd Floor  
Harrisburg, PA 17120

Or, e-mailed to: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. David Temple, Esq; Docket No. C-2024-3041372**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That David Temple, Esq, Respondent, maintains a mailing address of 111 Buck Road, Building 500, Suite 1, Huntington Valley, PA 19006.

2. On June 12, 2023, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing Aladdin Limo, Inc., to transport persons, by motor vehicles in group and party service, in vehicles seating 11—15 passengers including the driver, between points in the counties of Bucks, Chester, Delaware, Lehigh, Montgomery, and Philadelphia, except those areas under the jurisdiction of the Philadelphia Parking Authority at PUC utility code no. 640261 at A-2023-3039917.

3. On August 11, 2023, PUC Enforcement Officer Douglas Wells attempted to contact the carrier by email. A second email was sent on October 6, 2023. A phone call was placed October 13, 2023 at which time I was advised that the respondent was out of the country and was due to return in a few weeks. Another email was sent on November 15, 2023. On November 17, 2023, Officer Wells sent a No-Contact letter to the respondent. A second No-Contact letter was sent on November 27, 2023 and a Certified No-Contact letter was sent on December 22, 2023.

4. That Respondent, by failing to achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa. § 501(c) and, for failure to maintain adequate, efficient, and safe service and facilities, violated 66 Pa. § 1501. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 640261.

*Wherefore*, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to David Temple, Esq, T/A Aladdin Limo, Inc., at PUC utility code number 640261.

Respectfully submitted,  
Andrew Turriziani, Chief  
Bureau of Investigation and Enforcement  
Motor Carrier Enforcement Division  
400 North Street  
Harrisburg, PA 17120

VERIFICATION

I, Andrew Turriziani, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 24 January 2024

Andrew Turriziani, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and En-  
forcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
400 North Street, 3rd Floor  
Harrisburg, PA 17120

Or, e-mailed to: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 24-382. Filed for public inspection March 15, 2024, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than April 1, 2024. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Peter Carnival at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-24-02-04. Book A Car PA, Inc.** (1883 Strahle Street, Philadelphia, PA 19152): An application for a limousine certificate of public convenience (CPC) to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David Temple, Esq., 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

**Doc. No. A-24-02-05. Korban Ali, LLC** (12459 Nanton Drive, Philadelphia, PA 19154): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Shintia Zaman Riva, Esq., 1914 Chandler Street, Philadelphia, PA 19111.

**Doc. No. A-24-02-06. Zbazz Tran, Inc.** (76 Chaddwyck Boulevard, New Castle, DE 19720): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Shintia Zaman Riva, Esq., 1914 Chandler Street, Philadelphia, PA 19111.

**Doc. No. A-24-02-07. Voyage Limousine, LLC** (1883 Strahle Street, Philadelphia, PA 19152): An application for a limousine CPC to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David Temple, Esq., 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

RICH LAZER,  
Executive Director

[Pa.B. Doc. No. 24-383. Filed for public inspection March 15, 2024, 9:00 a.m.]



## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

#### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Timothy R. Goss—Goss Family Farm 123 Decatur Road McClure, PA 17841	Mifflin County/ Decatur Township	718.5	Swine/ Cattle	Amended	Approved
Timothy H. Hurst—Home Farm 788 King Pen Road Kirkwood, PA 17536	Lancaster County/ Little Britain Township	48.98	Cattle	New	Approved
Loren Horning—Broiler Farm 10696 Route 235 Beaver Springs, PA 17812	Snyder County/ Adams Township	186.97	Poultry/ Broilers	New	Approved
Nathan Zimmerman—Layer Farm 760 North Market Street Myerstown, PA 17067	Lebanon County/ Heidelberg Township	251.2	Poultry/ Layers	New	Approved
Shawn L. Martin—The Martin Farm 146 Greble Road Myerstown, PA 17067	Berks County/ Tulpehocken Township	107.04	Poultry/ Broilers	New	Approved
Denis Beachel—Marr Farm 309 Fairview Road Danville, PA 17821	Montour County/ Limestone Township	424.85	Poultry/ Turkey	Existing	Rescinded
Vernon Leid—Swine Site 1 31 Dad Burnham's Road Pine Grove, PA 17963	Schuylkill County/ Washington Township	74.79	Swine	New	Approved
Hoffman Brother's Farm, LLC— Broiler Farm 2262 Middle Road Richfield, PA 17086	Snyder County/ West Perry Township	280.11	Poultry/ Broilers	New	Approved

RUSSELL REDDING,  
*Chairperson*

[Pa.B. Doc. No. 24-384. Filed for public inspection March 15, 2024, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following projects from January 1, 2024, through January 31, 2024.

For further information, contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.gov. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

#### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified.

#### *Water Source Approval—Issued Under 18 CFR 806.22(f):*

1. RENEWAL—BKV Operating, LLC; Pad ID: Macialek 1 Pad; ABR-201201010.R2; Washington Township, Wyoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 16, 2024.

2. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Elwell; ABR-201201009.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 16, 2024.

3. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Redbone; ABR-201201004.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 16, 2024.

4. RENEWAL—EQT ARO, LLC; Pad ID: Lycoming H&FC Pad F; ABR-201309015.R2; Lewis Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 16, 2024.

5. RENEWAL—SWN Production Company, LLC; Pad ID: FLICKS RUN; ABR-201201011.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: January 16, 2024.

6. RENEWAL—SWN Production Company, LLC; Pad ID: TI-46 Bliss Pad; ABR-201701001.R1; Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: January 16, 2024.

7. RENEWAL—XPR Resources, LLC; Pad ID: Alder Run Land 3H; ABR-201812003.R1; Cooper Township, Clearfield County, PA; Consumptive Use of Up to 0.9900 mgd; Approval Date: January 16, 2024.

8. RENEWAL—XPR Resources, LLC; Pad ID: Alder Run Land LP 1H; ABR-201812002.R1; Cooper Township, Clearfield County, PA; Consumptive Use of Up to 0.9900 mgd; Approval Date: January 16, 2024.

9. SWN Production Company, LLC; Pad ID: NR 13 Brant West; ABR-202401001; Great Bend Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: January 16, 2024.

10. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Alvarez; ABR-201301012.R2; Wilmot Township, Bradford County, and Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 28, 2024.

11. RENEWAL—Coterra Energy, Inc.; Pad ID: SquierR P1; ABR-201401004.R2; Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: January 28, 2024.

12. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: Johnson (02 135) K; ABR-201701003.R1; Hamilton Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 28, 2024.

13. RENEWAL—Seneca Resources Company, LLC; Pad ID: Tolbert 263; ABR-201201022.R2; Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 28, 2024.

14. RENEWAL—SWN Production Company, LLC; Pad ID: HEBDA-VANDEMARK; ABR-201201025.R2; Stevens Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: January 28, 2024.

15. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Fox; ABR-201201007.R2; Mehoopany Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 30, 2024.

16. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: HOFFMAN UNIT PAD; ABR-201901002.R1; Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 30, 2024.

17. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Kathryn; ABR-201201006.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 30, 2024.

18. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Raimo; ABR-201201005.R2; Monroe Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 30, 2024.

19. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Ridenour; ABR-201201008.R2; Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 30, 2024.

20. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Rogers Drilling Pad; ABR-201401006.R2; Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 30, 2024.

21. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Yoder Drilling Pad # 1; ABR-201201003.R2; Leroy Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 30, 2024.

22. RENEWAL—Range Resources—Appalachia, LLC; Pad ID: Corson, Eugene 1H—6H; ABR-201201017.R2; Anthony Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: January 30, 2024.

23. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: COOLEY (05 266) D; ABR-201901003.R1; Pike Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 30, 2024.

24. RENEWAL—SWN Production Company, LLC; Pad ID: NR-15-HUGHES-PAD; ABR-201401007.R2; Great Bend Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: January 30, 2024.

25. RENEWAL—SWN Production Company, LLC; Pad ID: WY 04 DIMMIG; ABR-201401009.R2; Forkston Township, Wyoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: January 30, 2024.

26. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Burkhart; ABR-201201028.R2; Forks Township, Sullivan

County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 31, 2024.

27. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Calmitch; ABR-201201029.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 31, 2024.

28. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Finan; ABR-201301014.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 31, 2024.

29. RENEWAL—Chesapeake Appalachia, LLC; Pad ID: Rosiemar; ABR-201301016.R2; Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: January 31, 2024.

30. RENEWAL—Repsol Oil & Gas USA, LLC; Pad ID: Barner 709; ABR-201201031.R2; Liberty Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: January 31, 2024.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

*Dated:* February 28, 2024

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 24-385. Filed for public inspection March 15, 2024, 9:00 a.m.]



# NOTICES

## GOVERNOR'S OFFICE

### Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication semi-annually an agenda of regulations under development or consideration.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The information provided is current as of March 1, 2024. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Aging</i></b>			
No regulations being developed or considered at this time.			
<b><i>Department of Agriculture</i></b>			
Agricultural Conservation Easement Purchase Program 7 Pa. Code Chapter 138e (# 2-192)	Expected publication proposed Q2 or Q3, 2024. Internal reviews continued from Fall 2024 update; anticipated stakeholder outreach will occur this year.	The regulation will revise the regulation to address the five amendments of the Agricultural Area Security Law that occurred since 2004, when the regulation was last revised. The revision will accomplish a "housekeeping" update to reflect the Department's experience in administering the Agricultural Conservation Easement purchase program.	Stephanie Zimmerman (717) 705-7796
Milk Sanitation 7 Pa. Code Chapter 59a (# 2-194)	Expected publication on proposed Q2, 2024. Internal reviews continued from Fall 2023 update.	The regulation will: 1) accomplish a "housekeeping" update to the technical Milk Sanitation regulations; 2) allow for the lawful production and sale of raw milk butter; and 3) lower the maximum permissible somatic cell count for milk.	Sheri Morris (717) 787-4315
Pesticide Rules and Regulations 7 Pa. Code Chapter 128	Expected publication proposed Q2, 2024. Internal reviews continued from Fall 2023 update.	The current regulation is being revised to: 1) meet the updated Federal EPA Pesticide Certification Rule as required by EPA; 2) add clarifying language where needed; and 3) add/remove certain regulatory requirements to accommodate pesticide use needs in the Commonwealth.	Jessica Lenker (717) 772-5212
<b><i>Department of Banking and Securities (DOBS)</i></b>			
Amendment of regulations at 10 Pa. Code Part VII Securities	Fall 2024	This rulemaking would add annual continuing education for investment adviser representatives and an Examination Validity Extension Program for investment adviser representatives.	Stefanie Hamilton (717) 787-1471

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Conservation and Natural Resources (DCNR)</i></b>			
Prescribed Burning Practices Act, Act of July 17, 2009, P.L. 76, No. 17 (32 P.S. § 425)	Fall 2024	DCNR and other agencies and organizations have been utilizing prescribed fires (controlled burns) on publicly-owned forests and grasslands in the Commonwealth since 2009. At this time, there is significant interest and need to expand the use of prescribed fire and allow its use to manage privately-owned lands in Pennsylvania. To do so safely, DCNR feels that it is necessary to establish some baseline regulations for the training and certification of prescribed burn managers and for the review and approval of prescribed burn plans.	Michael Kern (717) 783-7957
<b><i>Department of Corrections (DOC)</i></b>			
Inmate Correspondence 37 Pa. Code § 93.2	Spring 2025	Inmate correspondence regulations are being revised to reflect new DOC procedures for processing mail. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Inmate Visiting Privileges 37 Pa. Code § 93.3	Spring 2025	Inmate visiting privileges regulations are being revised to reflect DOC changes to its visiting policy. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Purchase for Inmates by Family and Friends 37 Pa. Code § 93.4	Spring 2025	Purchase for inmates by family and friends regulations are being revised for clarification and to more accurately comport with current standards. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Motivational Boot Camp 37 Pa. Code §§ 93.301—93.308	Spring 2025	Motivational Boot Camp Regulations are being revised to correct statutory citations and reflect changes in procedures.	Tracey Tubbs (717) 728-7763
<b><i>Department of Education (PDE)</i></b>			
Academic Standards and Assessment 22 Pa. Code, Part I State Board of Education Chapter 4	Spring 2024, as Proposed	This proposed regulation will update academic standards for Career Education and Work, Economics, and Family and Consumer Sciences and proposes new standards for Personal Finance to reflect new statutory provisions enacted by Act 35 of 2023.	Karen Molchanow kamolchano@pa.gov
State Library and Advisory Council on Library Development 22 Pa. Code Part IX	Spring 2024, as Proposed	This proposed regulation clarifies and updates the standards and practices under which libraries are governed and deemed eligible to receive state aide, bringing them in alignment with changes that were made to the statute in 2012.	Sue Banks susbanks@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Environmental Hearing Board (EHB)</i></b>			
Practice and Procedure 25 Pa. Code Chapter 1021 (# 106-14)	Preparation of final-form regulatory package completed; regulatory package presented to Governor's Policy Office and Office of General Counsel for review pursuant to E.O. 1996-1, Sec. 4. Final rulemaking expected to be published Spring 2024.	This rulemaking amends the following Rules of Practice and Procedure for the Board: 25 Pa. Code § 1021.2 (Definitions); 25 Pa. Code § 1021.51 (Commencement, form and content of notice of appeal) to clarify who should receive notice of the filing of a notice of appeal; 25 Pa. Code § 1021.61 (Supersedeas) to address reopening the record; 25 Pa. Code § 1021.63 (Circumstances affecting grant or denial of supersedeas) to amend the section on likelihood of injury; 25 Pa. Code § 1021.81 (Intervention) to add a Comment; 25 Pa. Code § 1021.92 (Procedural motions) to clarify that all requests whether by motion or letter must be accompanied by a proposed order; 25 Pa. Code § 1021.94a (Summary judgment) to correct a typographical error; 25 Pa. Code § 1021.133 (Reopening of record) to address reopening the record after a supersedeas hearing; 25 Pa. Code §§ 1021.182—1021.191 (Attorneys fees and costs) to clarify the procedure for seeking costs and attorney fees in certain types of proceedings; and to add a new rule at 25 Pa. Code § 1021.5 on Citations to Board decisions.	Maryanne Wesdock Senior Assistant Counsel (412) 565-5245
<b><i>Department of Environmental Protection (DEP)</i></b>			
Environmental Protection Performance Standards for Conventional Oil and Gas Operators 25 Pa. Code Chapter 78 (# 7-539)	Quarter 2, 2024, EQB Consideration, as Proposed	This rulemaking proposes to amend the Oil and Gas regulations applicable to conventional operators (Chapter 78) to update the environmental protection performance standards related to oil and gas activities. (2012 Oil and Gas Act, Clean Streams Law, Solid Waste Management Act, Dam Safety Encroachment Act, Land Recycling and Environmental Remediation Standards Act, Radiation Protection Act, Unconventional Well Report Act, Act 126 of 2014)	Kris Shiffer (717) 772-5809 kshiffer@pa.gov
Waste Management and Related Issues at Conventional Oil and Gas Well Sites 25 Pa. Code Chapter 78 (# 7-540)	Quarter 4, 2024, EQB Consideration, as Proposed	This proposed rulemaking relates primarily to the proper management of waste generated at conventional oil and gas well sites. The purpose of this regulation is to update the performance standards for surface activities at conventional well sites to ensure that these activities are conducted in a manner that protects the health, safety, and environment and property of Pennsylvania's residents.	Kris Shiffer (717) 772-5809 kshiffer@pa.gov
Annual Fee for Unconventional Operations 25 Pa. Code Chapter 78a (# 7-573)	Quarter 3, 2024, EQB Consideration, as Proposed	This rulemaking proposes to establish an annual fee for unconventional operations. The annual fee will provide a stable source of funding through FY 2027-2028. (2012 Oil and Gas Act, Clean Streams Law, Dam Safety and Encroachments Act, Solid Waste Management Act)	Kris Shiffer (717) 772-5809 kshiffer@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Sewage Facilities Program 25 Pa. Code Chapters 71—73 (# 7-570)	Quarter 4, 2024, EQB Consideration, as Proposed	This rulemaking proposes to update 25 Pa. Code Chapters 71—73 to implement recent amendments to the Pennsylvania Sewage Facilities Act made by Act 26 of 2017 and Act 34 of 2020, and to address a number of other issues in these regulations, which were last revised significantly in 1997. The regulatory revisions in this proposed rulemaking will include site suitability criteria for sites with shallow soils, which will provide additional opportunities for new land development in a manner that provides safe, effective long-term sewage disposal. This proposed rulemaking will also include other regulatory revisions and updates to ensure that the planning, permitting, operation and maintenance of sewage facilities sufficiently protect public health and safety, the waters of the Commonwealth and property values. (Pennsylvania Clean Streams Law, Pennsylvania Sewage Facilities Act)	Jay Patel (717) 783-2283 jaypatel@pa.gov
Water Quality Standards for Site-Specific Criteria for Methylmercury and Clarifications to the Process for Developing Site-Specific Criteria 25 Pa. Code Chapter 93 (# 7-571)	Quarter 3, 2024, EQB Consideration, as Final	This rulemaking proposes to update 25 Pa. Code Chapter 93 with site-specific water quality criteria for methylmercury for unnamed tributary to Ebaughs Creek located in York County. In addition, proposed updates will revise provisions to allow for a more efficient regulatory review process to incorporate site-specific criteria into the water quality standards in 25 Pa. Code Chapter 93, which would allow site-specific criteria to be incorporated into National Pollutant Discharge Elimination System (NPDES) permits more quickly. (Pennsylvania Clean Streams Law, Federal Clean Water Act)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov
Water Quality Standards— Triennial Review of Water Quality Standards and Updates to Toxics Management Strategy— Statement of Policy 25 Pa. Code Chapters 93 and 16 (# 7-577 and # 7-582)	Quarter 2, 2024, EQB Consideration, as Final	This rulemaking revises the Commonwealth's water quality criteria and standards in Chapter 93 and updates the Chapter 16 Statement of Policy to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act. (40 CFR 131.20)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Water Quality Standards— Class A Stream Redesignations 25 Pa. Code Chapter 93	Quarter 2, 2024, EQB Consideration, as Proposed	The proposed regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to a submittal of data from the Pennsylvania Fish and Boat Commission (PFBC). In this rulemaking, redesignations rely on § 93.4b(a)(2)(ii) to qualify streams for High Quality (HQ) designations based upon their classifications as Class A wild trout streams. DEP staff conducted an independent review of the trout biomass data in the PFBC's fisheries management reports for streams throughout the Commonwealth to ensure that the HQ criteria were met. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins. (Section 303(c)(1) of the Federal Clean Water Act)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov
Notification Requirements for Unauthorized Discharges to Waters of the Commonwealth 25 Pa. Code Chapter 91	Quarter 2, 2024, EQB Consideration, as Proposed	This rulemaking proposes to clarify the immediate notification requirements for unauthorized discharges of a substance that would cause or threaten pollution to waters of the Commonwealth, endanger downstream users or damage property. (Pennsylvania Clean Streams Law)	Manyi Liu (717) 787-5017 malieu@pa.gov
Dam Safety and Waterway Management 25 Pa. Code Chapter 105	Quarter 2, 2024, EQB Consideration, as Proposed	This rulemaking proposes to amend Chapter 105 to provide updates and clarifications to definitions and requirements to improve permit application submission and permit review efficiency. (Federal Clean Water Act, Pennsylvania Clean Streams Law, Dam Safety and Encroachment Act)	Andy Klinger (717) 772-5975 anklinger@pa.gov
State and Federal Plans for Existing Sources 25 Pa. Code Chapter 122	Quarter 3, 2024, EQB Consideration, as Proposed	This rulemaking proposes to amend Chapter 122 to clarify the authority for adoption and submittal to the EPA of State plans for implementation and enforcement of emission guidelines for existing sources and for delegation of Federal plans for existing sources. (Air Pollution Control Act)	Sean Wenrich (717) 772-3979 sewenrich@pa.gov
Corrective Amendments to RACT Requirements for Major Sources of NO <sub>x</sub> and VOCs 25 Pa. Code Chapter 129	Quarter 3, 2024, EQB Consideration, as Proposed	This rulemaking proposes to amend Chapter 129 to correct administrative errors in the mass equivalent basis factors for combined-cycle or combined heat and power combustion turbines and to correct a cross reference error. (Air Pollution Control Act)	Sean Wenrich (717) 772-3979 sewenrich@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of the Land Recycling Program 25 Pa. Code Chapter 250 (# 7-575)	Quarter 1, 2024, EQB Consideration, as Proposed	The rulemaking proposes to amend 25 Pa. Code Chapter 250 to update the medium specific concentrations (MSCs) established under the Statewide health standard based on the most recent published scientific information. MSCs are concentrations of contaminants in soil and groundwater that are protective of human health and the environment under various exposure scenarios. This rule will focus on updates to the models used to calculate the MSCs for lead in soil and potential changes to how the MSCs for PAHs are calculated. These regulations identify the formulas DEP must use to calculate MSCs and the sources of the toxicological information. This rulemaking also proposes to clarify administrative elements of Chapter 250. DEP is required by § 250.11 to propose appropriate MSC changes based on current scientific information no more than 36 months after the effective date of the most recently promulgated MSCs. (Land Recycling and Environmental Remediation Standards Act)	Mike Maddigan (717) 772-3609 mmaddigan@pa.gov
Environmental Lab Accreditation Fees 25 Pa. Code Chapter 252	Quarter 3, 2024, EQB Consideration, as Proposed	This rulemaking proposes to update the fees for the environmental laboratory accreditation program to cover the cost of the operation of the program, as required by the Environmental Laboratory Accreditation Act. (Environmental Laboratory Accreditation Act)	Annmarie Beach (717) 346-8212 anbeach@pa.gov
Update to Coproduct Regulations 25 Pa. Code Chapter 287	Quarter 1, 2025, EQB Consideration, as Proposed	This rulemaking proposes to amend the coproduct regulations to ensure that the efficacy of a waste for a particular use and the consistency of the process by which the waste is generated is considered and adequately demonstrated as part of a coproduct demonstration. (Solid Waste Management Act)	Chris Solloway (717) 787-1791 csolloway@pa.gov
Revisions to the Nutrient Management Regulations 25 Pa. Code Chapter 83, Subchapters D and E (# 7-581)	Fall 2024, SCC Consideration, as Proposed	The State Conservation Commission proposes to revise the nutrient management regulations to more effectively address nutrient losses from concentrated animal operations and farms which receive manure from those operations. The proposed revisions to these regulations include incorporating advances in nutrient management knowledge and technology, as well as updating provisions on the protection of water quality regarding nutrient management. (Conservation District Law, Nutrient Management Act, Conservation and Natural Resources Act)	Brady Seeley (717) 772-4188 braseeley@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Health (DOH)</i></b>			
Communicable and Noncommunicable Diseases 28 Pa. Code Chapter 27	May 2024, as Proposed	The Department is proposing to update the list of diseases, conditions and infections, to update the requirements for reporting diseases, conditions and infections, and to update the regulations generally to align with National standards and to improve disease surveillance, investigation and response. The proposed rulemaking is under development at DOH. DOH will be engaging in discussions with stakeholders in upcoming months.	Neil Mahalingam (717) 783-2500 Mason Myers (717) 783-2500 Kirsten Waller (717) 787-3350 Lisa McHugh (717) 787-3350
Clean Indoor Air Act (CIAA)	April 2024, as Proposed	Regulations are needed to further clarify and define the CIAA (35 P.S. §§ 637.1 et seq.). Such regulations would result in more consistent implementation of the CIAA and additional clarity for establishments that apply for an exception to the CIAA. The proposed rulemaking is under development at DOH. DOH will be engaging in discussions with stakeholders in upcoming months.	George Mitchell (717) 783-2500 Will Sunday (717) 783-6600
Hospitals 28 Pa. Code Part IV, Subpart B	April 2025, as Proposed	The Department is proposing to make several updates to these regulations, incorporating policy measures related to telemedicine, hospital closure plan requirements and patient care coordination. The proposed rulemaking is under development at DOH. DOH will be engaging in discussions with stakeholders in upcoming months.	Sarah Kurish (717) 783-2500 Jeanne Parisi (717) 547-3067
Newborn Safety Incubators	August 2024, as Proposed	Act 68 of 2017 permits hospitals, police stations or other entities employing or otherwise providing access to an emergency services provider to provide an incubator for the care of a newborn anonymously placed by a parent. The Department is required to promulgate regulations regarding the requirements for installation and registration of incubators installed under the Act. The proposed rulemaking is under development at DOH. DOH will be engaging in discussions with stakeholders in upcoming months.	Chris Gleeson (717) 783-2500 Melissa Myers (717) 787-9857
<b><i>Department of Human Services (DHS)</i></b>			
Psychiatric Rehabilitation Services 55 Pa. Code Chapter 5230	Summer 2024, as Final-Form	This regulation will expand psychiatric rehabilitation services to individuals 14 years of age or older, but under 18 years of age, who meet admission requirements and individuals diagnosed with posttraumatic stress disorder, attention deficit hyperactivity disorder or anxiety disorders and amend outdated language throughout.	Maeve Curley macurley@pa.gov
Covered Outpatient Drugs 55 Pa. Code Chapters 1101, 1121, 1141, 1142 and 1144	Fall 2024, as Final-Form	This regulation includes technical amendments to Title 55 of the <i>Pennsylvania Code</i> , Chapters 1101, 1121, 1141, 1142 and 1144. In addition to the technical amendments, the payment methodology for covered outpatient drugs has been amended in Chapter 1121 to comply with the Covered Outpatient Drugs final rule issued by the Centers for Medicare & Medicaid Services.	Maeve Curley macurley@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Payment for Certified Registered Nurse Anesthetists 55 Pa. Code Chapter 1150	Fall 2024, as Proposed	This regulation revises Title 55 of the <i>Pennsylvania Code</i> , Chapter 1150, to recognize and provide direct payment to certified registered nurse anesthetists who are enrolled in the Medical Assistance Program when in compliance with State Board of Nursing regulations at Title 49 of the <i>Pennsylvania Code</i> , Section 21.17 (relating to anesthesia).	Maeve Curley macurley@pa.gov
Non-Physician Prescriber for Home Health Services 55 Pa. Code Chapters 1123 and 1249	Summer 2024, as Proposed	This regulation revises Title 55 of the <i>Pennsylvania Code</i> , Chapters 1123 and 1249, to add Medical Assistance enrolled non-physician practitioners, allowed under State and Federal regulations, to the provider types who can prescribe home health services, durable medical equipment and medical supplies.	Maeve Curley macurley@pa.gov
Protective Services for Adults 55 Pa. Code Chapter 15	Fall 2024, as Final-Form	This regulation will govern the investigation of allegations of abuse, neglect, exploitation or abandonment of adults between the ages of 18 and 59 years, and the provision of protective services as indicated by the results of those investigations. The authority for the regulation and resulting services is provided by Act 70 of 2010, the Adult Protective Services Act.	Maeve Curley macurley@pa.gov
Crisis Intervention Services (Licensure) 55 Pa. Code Chapter 5250	Summer 2024, as Proposed	This regulation codifies the minimum standards for the issuance of licenses to provide behavioral health crisis intervention services in the Commonwealth.	Maeve Curley macurley@pa.gov
Crisis Intervention Services (Payment) 55 Pa. Code Chapter 1350	Fall 2024, as Proposed	This regulation establishes the conditions for MA payment of crisis intervention services.	Maeve Curley macurley@pa.gov
Child Residential and Day Treatment Facilities 55 Pa. Code Chapters 3900, 3910 and 3920	Fall 2024, as Proposed	The Department is proposing to revise Chapter 3800 (relating to child residential and day treatment facilities) to clarify that Chapter 3800 does not apply to child residential facilities or secure residential and secure detention facilities for youth. Instead, the Department proposes to establish three new regulatory licensure chapters: Chapter 3900 (relating to child and youth facility requirements), Chapter 3910 (relating to child residential facilities) and Chapter 3920 (relating to secure residential and secure detention facilities for youth).	Maeve Curley macurley@pa.gov
Psychiatric Residential Treatment Facilities 55 Pa. Code Chapters 1330, 3800 and 5330	Spring 2024, as Proposed	This regulation will provide foundational standards to meet the complex mental health needs of children, youth and young adults receiving services in psychiatric residential treatment facilities. Specifically, the proposed rulemaking will codify the minimum licensing standards, Medical Assistance (MA) participation requirements and MA payment conditions for RTFs that are currently licensed and certified by the Department. Under the proposed rulemaking, these facilities will be licensed as psychiatric residential treatment facilities (PRTFs).	Maeve Curley macurley@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Confidentiality of Records 55 Pa. Code Chapter 5100	Summer 2024, as Proposed	This regulation amends Chapter 5100 to be consistent with the HIPAA regulations for confidentiality of records and Act 32 of 2022.	Maeve Curley macurley@pa.gov
Nursing Facility Reimbursement 55 Pa. Code Chapters 1187 and 1189	Summer 2024, as Proposed	This proposed regulation will meet new Centers for Medicare & Medicaid Services requirements for Nursing Facility per diem reimbursement. The current rate setting methodology will no longer be supported by CMS. This regulation will amend Chapters 1187 and 1189 to a new methodology that meets CMS requirements.	Maeve Curley macurley@pa.gov
<b><i>Pennsylvania Insurance Department (PID)</i></b>			
Producer Licensing Modernization Regulatory Updates	Spring 2024, as Proposed	Repeal outdated regulations and replace with a new chapter implementing sections 601-A—699.1-A of the Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), which will set forth requirements and standards for insurance producers in this Commonwealth. The package was submitted to GPO/OGC and a fiscal note was created by GBO. Awaiting OGC approval.	Caroline Boehm Policy Director (717) 787-0164
Underground Storage Tank Indemnification Fund (USTIF) Regulations	Summer 2024, as Proposed	Amend regulation to clarify USTIF and TIIP eligibility requirements by incorporating Pennsylvania appellate court decisions and to also require that underground storage tanks be registered under Section 503 of the Tank Act within 60 days of when a release is confirmed. The Underground Storage Tank Indemnification Board approved the language in the draft amendment; PID plans to send the exposure draft to stakeholders for review and comment the first week in February.	Caroline Boehm Policy Director (717) 787-0164
<b><i>Department of Labor and Industry (L&amp;I)</i></b>			
Flammable and Combustible Liquids Title 34, Part I, Chapters 14 and 14a Bureau of Occupational and Industrial Safety	Fall 2024, as Proposed	Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel. <i>Status update:</i> Preparation of reg package currently underway.	Matthew Kegg (717) 783-6304
Bureau of Workers' Compensation Title 34, Chapter 123, Subchapter B Impairment Ratings	Summer 2024, as Final-Form	Update regulations to reflect new statutory provisions and changes to the IRE process enacted by Act 111 of 2018. <i>Status update:</i> Regulation # 12-117: Impairment Rating proposed rulemaking delivered to IRRC on 4/12/23 and subsequently published in <i>Pennsylvania Bulletin</i> on 4/22/2023. Agency reviewing public comment and IRRC comment. Final-form preparation currently under way.	Marianne Saylor (717) 886-9001
Uniform Construction Code Regulations Title 34, Part I, Chapter 405 Bureau of Occupational and Industrial Safety	Summer 2024, as Proposed	Update regulations related to lifting devices based on Act 68 of 2018 and adopt certification standards for third party inspection agencies. <i>Status update:</i> Preparation of reg package currently underway.	Matthew Kegg (717) 783-6304

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Sign Language Interpreter and Transliterator State Registration Act Title 34, Part XV, Chapter 501 Office of Deaf and Hard of Hearing	Spring 2024, as Proposed	Update regulations related to registration and examination of sign language interpreters. <i>Status update:</i> Preparation of reg package currently underway and almost complete.	Melissa Hawkins (717) 783-4912
UCBR—Title 34, Chapter 101 (relating to the manner in which hearings shall be conducted and appeals filed)	Summer 2024, as Proposed	Update regulation based on implementation of the new UC Claims System, amendments to the UC statute, and potential for virtual hearings. <i>Status update:</i> Courtesy draft of proposed amendments have been sent to stakeholders and stakeholders to have 30 days to provide comments on the courtesy draft.	Brian Parr (717) 787-4857
Services for the Blind and Visually Impaired Currently Title 55, Part IV, Adult Services Manual, Subpart D Non-residential Agencies/Facilities/Services Chapter 2430 to be moved to Title 34	Fall 2024, as Proposed	Deletion of current regulations and creation of new regulations for the Business Enterprise Program to reflect operational changes, based on the transfer of the program from the Department of Human Services to L&I, Act 15 of 1999. <i>Status update:</i> Under consideration.	Dawn Sokol (814) 871-4401
<b><i>Department of Military and Veterans Affairs (DMVA)</i></b>			
Bureau of Veterans' Affairs 43 Pa. Code Chapter 9	Spring 2024, Repeal	The Department proposes to repeal its Persian Gulf Conflict Veterans Benefit Program. The Program was established by Act on April 24, 2006 (P.L. 91, No. 29). The current rules and regulations at Title 43 Pa. Code Chapter 9 were promulgated in 2008 to implement, administer and enforce the Act. Section 4(b) of the Act allowed the Department to accept applications through August 31, 2015. The Act of October 30, 2015 (P.L. 205, No. 50), amended this authority by extending the application period through August 31, 2018. The Act of October 30, 2015, also amended the expiration date, in section 12(e), to prohibit the issuance of bonds and notes funding the program after December 31, 2019. The Department accordingly ceased accepting applications for the benefit after August 31, 2018, and ceased issuing bonds and notes for the program after December 31, 2019. For these reasons, the rules and regulations at Chapter 9 are inoperable and proposed to be repealed with the chapter reserved.	Ed Cherry (717) 861-8503 DMVA Office of Chief Counsel
Bureau of Veterans' Affairs 43 Pa. Code Chapter 5	Spring 2024, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations related to the former Bureau of Veterans' Affairs that is now the Bureau of Programs, Initiatives, Reintegration and Outreach. The statutory authority for these regulations Sections 1704(7) and 7701 of the Military and Veterans Code (51 Pa.C.S.). These regulations are out-of-date. They were last updated in 1991.	Ed Cherry (717) 861-8503

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Veterans' Homes Regulations 43 Pa. Code Chapter 7	Fall 2025, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations on State Veterans' Homes. The statutory authority for these regulations is section 902(10) of the Military and Veterans Code (51 Pa.C.S § 903(10)). These regulations are out-of-date. They were last updated in 1986. The purpose of the changes to these regulations is to bring them in line with best practices in the long-term care arena.	Ed Cherry (717) 861-8503
Fort Indiantown Gap 43 Pa. Code (new Chapter)	Fall 2025, as Proposed	Fort Indiantown Gap is owned by the Commonwealth of Pennsylvania and operated by the Department of Military and Veterans Affairs. The post is home to tens of thousands of Soldiers and civilians every year for training and other activities. Department wishes to promulgate regulatory authority and installation regulations that enhance the safety of military and civilian personnel and protect the military and Commonwealth property. The statutory authority for these regulations Chapter 7 § 708 of the Military and Veterans Code (51 Pa.C.S.).	Ed Cherry (717) 861-8503
<b><i>Municipal Police Officers' Education and Training Commission (MPOETC)</i></b>			
Administration of the Municipal Police Officers' Education and Training Program 37 Pa. Code Chapter 203 (# 17-80)	Spring 2024, as Proposed Preparation of regulatory package underway.	Title 53 Pa.C.S. § 2164(14) conveys powers and duties to the Municipal Police Officers' Education and Training Commission to make such rules and regulations and to perform such other duties as may be reasonably necessary or appropriate to implement the education and training program for police officers. Omnibus revisions to Chapter 203, which pertains to the certification and training of the Commonwealth's municipal police officers, are necessary to modernize these regulations, as they have not undergone a major revision since 1996. The amendments that will be proposed are the product of an extensive review project that included key stakeholders of the regulated community.	Sergeant Travis Messenger (717) 705-0843
Administration of Law Enforcement Background Investigations and Employment Information Act 57 of 2020 (# 17-87)	Spring 2024, as Proposed Temporary rulemaking published in <i>Pennsylvania Bulletin</i> on March 6, 2021. Preparation of proposed rulemaking package underway.	Act 57 of 2020 (P.L. 613, July 14, 2020, No. 57) established the requirement for background investigations and employment information for law enforcement officers. Duties conveyed to the Municipal Police Officers' Education and Training Commission include to establish and maintain an electronic database containing separation records of law enforcement officers; establish minimum background investigation standards; and promulgate regulations.	Sergeant Travis Messenger (717) 705-0843

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Mental Health Evaluations for Law Enforcement Officers Act 59 of 2020 (# 17-88)	Spring 2024, as Proposed Temporary rulemaking published in <i>Pennsylvania Bulletin</i> on March 20, 2021. Preparation of proposed rulemaking package underway.	Act 59 of 2020 (P.L. 624, July 14, 2020, No. 59) established the requirement for mandatory mental health evaluations for law enforcement officers. Duties conveyed to the Municipal Police Officers' Education and Training Commission include to establish procedures for confidentiality of mental health evaluations and related records; other procedures as necessary; and promulgate regulations.	Sergeant Travis Messenger (717) 705-0843
<b><i>Pennsylvania Commission on Crime and Delinquency (PCCD)</i></b>			
Sheriffs' and Deputy Sheriffs' Education and Training Program 37 Pa. Code Chapter 421	2024, as Proposed	The Sheriffs' and Deputy Sheriffs' Education and Training Board (Board), an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 421 (relating to the Board) due to statutory changes in Act 114 of 2014 (Act of Jul. 9, 2014, P.L. 1006, No. 114).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
County Probation and Parole Officers' Firearm Education and Training Commission 37 Pa. Code Chapter 79	2024, as Proposed	The County Adult Probation and Parole Advisory Committee (CAPPAC), an advisory committee within the Commission on Crime and Delinquency, plans to transfer and amend the regulations at 37 Pa. Code Chapter 79 to a newly created 37 Pa. Code Chapter 491 due to statutory changes in Act 115 of 2019 (Act of Dec. 18, 2019, P.L. 776, No. 115).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
Constables' Education and Training Board 37 Pa. Code Chapter 431	2024, as Proposed	The Constables' Education and Training Board, an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 431 (relating to Constables' Education and Training Board) to update policies and procedures.	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
Crime Victims Compensation 37 Pa. Code Chapter 411	2024, as Proposed	The Victims Services Advisory Committee, an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 411 (relating to Crime Victims Compensation) to update policies and procedures to reflect statutory changes in Act 77 of 2022 (Act of Jul. 11, 2022, P.L. 775, No. 77).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
<b><i>Pennsylvania Infrastructure Investment Authority (PENNVEST)</i></b>			
Pennsylvania Infrastructure Investment Authority (PENNVEST) Assistance and Clean Water State Revolving Fund 25 Pa. Code Sections 963.1—963.20, including inter alia: 963.12(a) 963.13(c) 963.13(e) 963.15(a) 963.15(c) 963.16 963.18(c) 963.20	Summer/Fall 2024, as Proposed The PENNVEST Board voted to approve the proposed rulemaking on January 29, 2020.	Revisions under consideration include, inter alia: Amendments to 25 Pa. Code §§ 963.1—963.20 to be consistent with statutory revisions imposed by P.L. 51, No. 16, enacted June 19, 2013, the Federal Water Resources Reform and Development Act of 2014, the Water Infrastructure Improvements for the Nations Act of 2016, the Infrastructure Investment and Jobs Act of 2021 and guidance revisions implemented by the Department of Environmental Protection, to reflect updates to business practices, and to incorporate any provisions necessary to accommodate for the deletion of 25 Pa. Code § 965 in its entirety, including, but not limited to the following:	Shawn W. Weis (717) 783-6776



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		<p>(1) Amend 25 Pa. Code § 963.12(a)(1) by revising the section to provide for the eligibility of certain interior plumbing costs.</p> <p>(2) Delete 25 Pa. Code § 963.12(a)(3) and § 963.12(c)(3) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the purchase of land that qualify as eligible costs under § 963.11(a)(4).</p> <p>(3) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor.</p> <p>(4) Amend 25 Pa. Code § 963.13(c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment of principal and interest on the 60th month.</p> <p>(5) Delete 25 Pa. Code § 963.13(e) requiring PENNVEST to set aside 10% of the available finance assistance for advance funding assistance due to a lack of demand.</p> <p>(6) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only prior to principal amortization.</p> <p>(7) Amend 25 Pa. Code § 963.15(c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date.</p> <p>(8) Amend 25 Pa. Code § 963.15(c)(6) by revising the sentence to define “bond interest rate” to mean the rate of interest paid by the Commonwealth in its issuance of general obligation bonds immediately preceding the application cut-off date for the next regularly scheduled PENNVEST Board meeting.</p> <p>(9) Amend 25 Pa. Code § 963.16 to provide the parameters of a loan or bond guarantee program to be provided by PENNVEST.</p> <p>(10) Amend 25 Pa. Code § 963.18(c)(2)(iii) to increase the threshold for PENNVEST’s prior written approval of change orders from \$25,000, or 2 percent of the amount of the project’s construction cost, whichever is less, to \$50,000.</p> <p>(11) Delete 25 Pa. Code § 963.20 eliminating the requirement for a second opinion project review for projects in excess of \$10M.</p>	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Pennsylvania State Police (PSP)</i></b>			
Purchase and Possession of Partially-Manufactured Frame or Receiver for Pistol or Rifle 37 Pa. Code (new Chapter) (# 17-89)	Spring 2024, as Proposed Preparation of proposed rulemaking package developed. Awaiting Federal court ruling(s).	Title 18 Pa.C.S. § 6111.1 requires the Pennsylvania State Police to administer the provisions of the Uniform Firearms Act. The Office of Attorney General, Official Opinion 2019-3, 49 Pa.B. 7659, establishes a partially-manufactured frame or receiver for a pistol or rifle as a firearm as defined within the Uniform Firearms Act. The purpose of the proposed rulemaking is to ensure clear guidance is given to licensees/sheriffs and the public in processing the sale/transfer and possession of a partially-manufactured frame or receiver for a pistol or rifle.	Sergeant Travis Messenger (717) 705-0843
<b><i>Department of Revenue (DOR)</i></b>			
Corporate Net Income Tax 61 Pa. Code § 153.26a (Proposed Rulemaking) Sales factor sourcing sales of services	June 2024, as Proposed	Under the authority contained in section 6 of the Fiscal Code (72 P.S. § 6) and section 401 of the TRC (72 P.S. § 7401(3)), the Department proposes the addition of § 153.26a (relating to sales factor sourcing sales of services). Act 52 of 2013 enacted a revised methodology for sourcing revenue from sales of services in the computation of CNIT. The proposed rulemaking will establish the processes for sourcing service income and the apportionment of taxpayers' business income to this Commonwealth and ensure that all taxpayers implement uniform methods for sourcing their sales of services to this Commonwealth. Informal public outreach was conducted October/November 2020.	Jack Frehafer (717) 346-4637
Corporate Net Income Tax 61 Pa. Code Chapter 153 (Proposed Rulemaking) Business income and nonbusiness income	June 2024, as Proposed	Under the authority contained in section 6 of Fiscal Code (72 P.S. § 6) and section 401 of the TRC (72 P.S. § 7401(3)), the Department is proposing amendments to the CNIT regulations by adding section 153.24a (relating to business and nonbusiness income) due to legislative changes and further development of the Unitary Business Principle of the U.S. Constitution in case law. Informal public outreach was conducted January/February 2020. Proposed rulemaking was delivered to the Office of General Counsel (OGC), Governor's Policy (GPO) and Budget Offices (GBO) for review on 12/23/2021. It was resubmitted on 10/26/2023, subsequently approved by all 3 agencies and delivered to the Office of Attorney General (OAG) on 11/30/2023. OAG issued a Tolling Memorandum on 12/21/2023. During the 1st Quarter 2024, the Department will draft its response to OAG's Tolling Memorandum.	Michael Vadner (717) 346-4640

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>Department of State (DOS)</b>			
<b>State Board of Accountancy</b>			
Licensure by Endorsement 49 Pa. Code §§ 11.5a and 11.5b (# 16A-5517)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Miranda Murphy (717) 214-8402
General Revisions 49 Pa. Code §§ 11.16, 11.23a, 11.56, 11.57, 11.82 and 11.84—11.87 (# 16A-5519)	Spring 2024, as Proposed	First, this proposed rulemaking is a general update of the Board's regulations to comply with the Act 110 of 2022 amendments to the CPA Law relating to examinations, education requirements, verification of experience and peer review, as well as the Act 100 of 2021 requirements regarding virtual supervision. Second, this rulemaking provides a CPE "safe harbor" for licensees supervising attest services; requires licensees supervising, signing or authorizing another to sign an accountant's report for attest services to comply with the competency requirements; and fixes a typographical error. Third, the rulemaking amends the Board's regulations to implement continuous testing of the CPA Exam. Currently, section 11.16(a) of the Accountancy regulations states that the CPA examination will be administered within specific testing windows within each quarter of every year. As of July 1, 2020, Prometric, the testing administrator for the Uniform CPA Examination, began administering the CPA Exam throughout the year, without testing windows. This proposed rulemaking would amend section 11.16(a) by eliminating testing windows. Section 11.16(a) would also be amended so that CPA test takers would not have to wait until the next quarter to retake a failed section of the CPA Exam. <i>Statutory Authority:</i> Section 3(a)(12) of the CPA Law (63 P.S. § 9.3(a)(12)) authorizes the Board to promulgate and enforce regulations as are necessary and proper to carry into effect the provisions of the CPA Law.	Miranda Murphy (717) 214-8402

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Architects Licensure Board</b>			
Licensure by Endorsement 49 Pa. Code Chapter 9 (# 16A-4120)	Summer 2024, as Proposed	This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Jessica Harris (717) 783-3397
General Revisions 49 Pa. Code Chapter 9 (# 16A-4112)	Summer 2024, as Proposed	The Board has undertaken a review of existing regulations with the goal of updating the regulations and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify the regulations relating to the requirements for licensure by examination and for licensure by reciprocity. The proposed rulemaking will add provisions for licensure with a bachelor’s degree from a regionally accredited program, an associate degree, a Broadly Experienced Architect and through reciprocal licensure. Other affected provisions include those related to inactive records, requirements for examination eligibility, adoption of the Architectural Experience Program (AXP®), application procedures related to experience and the verification thereof, reactivation of lapsed licenses and professional/corporate practice. The proposed rulemaking will also remove the rolling clock requirement which places a five-year expiration date on passed divisions of the Architect Registration Examination (ARE), thereby aligning the Board’s requirements with those of the National Council of Architectural Registration Boards (NCARB) and most other states.	Jessica Harris (717) 783-3397

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Board of Auctioneer Examiners</i></b>			
Act 88 Amendments 49 Pa. Code Chapter 1 (# 16A-6410)	Summer 2024, as Proposed	The act of July 20, 2016 (P.L. 789, No. 88) (Act 88 of 2016) amended the Auctioneer Licensing and Trading Assistant Registration Act by updating its provisions, eliminating auction house licenses and creating a registration for trading assistant companies. It also redefined terms and altered qualifications for auctioneers to include a combination of education and apprenticeship. This proposed rulemaking is needed to fully implement Act 88 of 2016.	Terrie Kocher (717) 783-3397
Licensure by Endorsement 49 Pa. Code §§ 1.3, 1.27 and 1.28 (# 16A-6412)	Spring 2024, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The final-form rulemaking package has been presented to the Governor's Office for review pursuant to Executive Order 1996-1; delivery is expected by 2nd Quarter 2024.	Terrie Kocher (717) 783-3397
<b><i>State Board of Barber Examiners</i></b>			
General Revisions 49 Pa. Code Chapter 3 (# 16A-429)	Summer 2024, as Proposed	The proposed rulemaking would update the Board's regulations to delete obsolete provisions and outdated terminology. It would also update the regulations to make them consistent with the Barber License Law and current practices of the Board and its licensees, and amend certain provisions related to minimum space and minimum equipment requirements.	Sharona Evans (717) 772-8538

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<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code §§ 3.16 and 3.17 (# 16A-4212)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Sharona Evans (717) 772-8538
<b>State Board of Chiropractic</b>			
Volunteer License 49 Pa. Code § 5.20 (# 16A-4321)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Shakeena Chappelle (717) 214-5702
General Revisions 49 Pa. Code Chapter 5 (# 16A-4328)	Summer 2024, as Proposed	This proposed rulemaking would update the Board's regulations to include provisions related to government employee liability coverage and sexual misconduct. <i>Statutory Authority:</i> Section 302(3) of the Chiropractic Practice Act (63 P.S. § 625.302(3)) authorizes the Board to promulgate, adopt and enforce in the manner provided by law, the rules and regulations necessary to carry out this act.	Shakeena Chappelle (717) 214-5702
Licensure by Endorsement 49 Pa. Code §§ 5.1, 5.11a, 5.13a and 5.13b (# 16A-4334)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The Board is drafting the proposed regulatory package.	Shakeena Chappelle (717) 214-5702

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Schedule of Fees 49 Pa. Code § 5.6 (# 16A-4335)	Spring 2024, as Final	This rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 1101 of the Chiropractic Practice Act (63 P.S. § 625.1101). The proposed rulemaking was published on August 5, 2023; public comments closed on September 5, 2023; and IRRC's comments were received on October 5, 2023. The Board is drafting the final-form regulation.	Shakeena Chappelle (717) 214-5702
<b><i>Commissioner of Professional and Occupational Affairs</i></b>			
Consideration of Criminal Convictions 49 Pa. Code Chapter 43b, Subchapters C and E §§ 43b.201 and 43b.401— 43b.531 (# 16A-66)	Spring 2024, as Final	This rulemaking is required to implement provisions of the act of July 1, 2020 (P.L. 545, No. 53), relating to the consideration of criminal history record information by licensing boards and commissions under the Bureau of Professional and Occupational Affairs, including schedules of criminal convictions that may constitute grounds to refuse to issue, suspend or revoke a license, certificate, registration or permit for each occupation or profession regulated by the various boards/commissions. A draft of the final-form regulation was presented to the Governor's office for review under Executive Order 1996-1.	Cynthia Montgomery (717) 783-7200
<b><i>Bureau of Notaries, Commissions &amp; Legislation</i></b>			
Notaries Public 4 Pa. Code Part VIII, Subpart C (# 16-61)	Spring 2024, as Proposed	The rulemaking implements the act of October 9, 2013 (P.L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA). Additional stakeholder outreach conducted; preparation and finalization of proposed rulemaking package currently underway.	Martha Brown (717) 783-0736
<b><i>State Board of Cosmetology</i></b>			
Schedule of Civil Penalties 49 Pa. Code § 43b.5 (# 16A-4517)	Summer 2024, as Proposed	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Cosmetology promulgated by the Commissioner of Professional and Occupational Affairs under the authority of the act of July 2, 1993 (P.L. 345, No. 48) (Act 48). The State Board of Cosmetology (Board) has participated in the Act 48 citation program from its inception in 1996 and has not increased the amounts in the schedule of civil penalties since they were originally promulgated. The Board believes that it is necessary to increase the civil penalties in order to improve their deterrent effect.	Val Eaton (717) 783-3402

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 7 (# 16A-4518)	Summer 2024, as Final	This rulemaking implements part of the Act 136 of 2014 (P.L. 2476, No. 136), which allows massage therapists to practice within the licensed square footage of cosmetology or esthetician salons and requires the Board and the State Board of Massage Therapy to jointly promulgate regulations to carry out these provisions. <i>Statutory Authority:</i> Sections 11 and 9.3 of the Act of May 3, 1933 (P.L. 242, No. 86), commonly referred to as the Beauty Culture Law, 63 P.S. §§ 517 and 515.3. The proposed rulemaking was published on December 16, 2023; public comment ended on January 16, 2024; IRRC's comments are due by February 15, 2024.	Val Eaton (717) 783-3402
Licensure by Endorsement 49 Pa. Code Chapter 7 (# 16A-4521)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Val Eaton (717) 783-3402
<b><i>State Board of Crane Operators</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 6.16 and 6.17 (# 16A-7104)	Spring 2024, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. Final-form rulemaking package expected to be presented to the Governor's Office for review pursuant to Executive Order 1996-1 in 1st Quarter 2024; delivery is expected in 2nd Quarter 2024.	Jessica Harris (717) 783-1404



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Dentistry</b>			
Anesthesia Update 49 Pa. Code §§ 33.3, 33.115a and 33.331—33.344 (# 16A-4621)	Fall 2024, as Proposed	The Board's current regulations relating to the administration of general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia were promulgated in 2005. Noting that the standard of care has evolved since that time, the Board wishes to update the regulations to adopt more current standards and provide additional guidance to anesthesia permit holders. <i>Statutory Authority:</i> Sections 3(o) and 11.2 of the Dental Law (63 P.S. §§ 122(o) and 130c). Section 130c authorizes the Board to establish requirements relating to the use of general anesthesia, conscious sedation and nitrous oxide/oxygen analgesia. Section 3(o) provides the general authority of the Board "to adopt, promulgate and enforce such rules and regulations as may be deemed necessary by the Board."	Christina Townley (717) 783-4862
Volunteer License 49 Pa. Code § 33.110 (# 16A-4625)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Christina Townley (717) 783-4862
General Revisions 49 Pa. Code Chapter 33 (# 16A-4628)	Summer 2024, as Proposed	The State Board of Dentistry has undertaken a review of existing regulations with the goal of updating the regulations and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify the regulations relating to fictitious names, biennial renewal, inactive status, reactivation, EFDA program approval, licensure by criteria approval, acceptable proof of professional liability insurance, use of titles, advertising, unprofessional conduct, multi-disciplinary professional corporations, exclusion of auxiliary personnel from performing radiological procedures and continuing dental education.	Christina Townley (717) 783-4862
Schedule of Civil Penalties— Dentists, Dental Hygienists and EFDAs 49 Pa. Code § 43b.14a (# 16A-4630)	Summer 2024, as Proposed	This proposed regulation would amend the schedule of civil penalties for practicing on a lapsed license, permit or certificate and other violations of the Dental Law, including failure to complete continuing education. <i>Statutory Authority:</i> 63 Pa.C.S. § 3108 authorizes the Commissioner to set forth schedules of civil penalties.	Christina Townley (717) 783-4862

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code §§ 33.107a and 33.107b (# 16A-4635)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Christina Townley (717) 783-4862
Opioid Prescribing and Education 49 Pa. Code Chapter 33 (# 16A-4637)	Summer 2024, as Proposed	The State Board of Dentistry proposes this rulemaking to set forth the minimum acceptable standards of practice that a dentist licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will also amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking will adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016.	Christina Townley (717) 783-4862
<b><i>State Board of Funeral Directors</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 13.1, 13.78 and 13.79 (# 16A-4832)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	J. Leslie Warner (717) 214-7781

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Food and Beverages 49 Pa. Code Chapter 13 (# 16A-4834)	Summer 2024, as Proposed	This rulemaking codifies a prior statement of policy setting forth the Board's interpretation and application of § 13.183 (relating to food and beverages). The rulemaking will clarify that, other than water, food and beverages may not be served in any part of the funeral establishment where the professional practice of funeral directing is conducted. This would include any area which is used in the care and disposition of the human dead, or in the practice of disinfecting and preparing by embalming the human dead. It would also include any room in which human remains or cremated remains are placed for viewing, visitation or services. The prohibition, therefore, would not prohibit the serving of food or beverages in a separate "hospitality room" or "lounge" or any other area where the practice of funeral directing does not occur.	J. Leslie Warner (717) 214-7781
<b><i>State Board of Landscape Architects</i></b>			
Schedule of Civil Penalties— Landscape Architects 49 Pa. Code Chapter 43b (# 16A-6120)	Spring 2024, as Proposed	This proposed regulation would adopt a schedule of civil penalties for unlicensed practice and other violations of the Landscape Architects Registration Law. <i>Statutory Authority:</i> 63 Pa.C.S. § 3108 authorizes the Commissioner to set forth schedules of civil penalties.	Terri Kocher (717) 772-8528
Licensure by Endorsement 49 Pa. Code Chapter 15 (# 16A-6121)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Terri Kocher (717) 772-8528
<b><i>State Board of Massage Therapy</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 20 (# 16A-722)	Spring 2024, as Proposed	This regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Massage Therapy obtain required training in child abuse recognition and reporting.	Paul Keller (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Revisions 49 Pa. Code §§ 20.1—20.54 (# 16A-725)	Summer 2024, as Proposed	This proposed rulemaking updates several provisions, including education, scope of practice, and examinations. <i>Statutory Authority:</i> Section 4(2) of the Massage Therapy Act, 63 P.S. § 627.4(2).	Paul Keller (717) 783-7155
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 20 (# 16A-726)	Summer 2024, as Final	This rulemaking enacts part of the act of September 24, 2014 (P.L. 2476, No. 136), which allows massage therapists to practice in cosmetology or esthetician salons. <i>Statutory Authority:</i> Act 136 requires the Board and the State Board of Cosmetology to jointly promulgate regulations implementing the new law; Section 4(2) of the Massage Therapy Law, 63 P.S. § 4(2), provides the Board's general authority to promulgate regulations. The proposed rulemaking was published on December 16, 2023; public comment ended on January 16, 2024; IRRC's comments are due by February 15, 2024.	Paul Keller (717) 783-7155
Licensure by Endorsement 49 Pa. Code Chapter 20 (# 16A-727)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Paul Keller (717) 783-7155
Virtual Education 49 Pa. Code Chapter 20 (# 16A-728)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to allow for instruction of massage therapy students via a "virtual platform," defined as a "live-stream synchronous videoconferencing or similar virtual presence technology." This regulation implements the act of December 22, 2021 (P.L. 488, No.100) (Act 100 of 2021).	Paul Keller (717) 783-7155
Schedule of Fees 49 Pa. Code Chapter 20 (# 16A-729)	Summer 2024, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 11 of the Massage Therapy Law (63 P.S. § 627.11).	Paul Keller (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Medicine</b>			
Volunteer License 49 Pa. Code Chapter 16 (# 16A-4934)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Saiyad Ali (717) 783-4852
Status Change and Continued Competency 49 Pa. Code Chapter 16 (# 16A-4945)	Summer 2024, as Proposed	This regulation defines the status types of existing licensees (active, active-retired, inactive, expired), provides the scope of practice for the active-retired license type created by the MCARE Act, and provides specific authorization for the Board to require a competency evaluation following a period of inactive practice. The regulation further replaces the term “registration” with “renewal” to reflect the ministerial act the Board performs upon a licensee’s application at or near the time of license expiration.	Saiyad Ali (717) 783-4852
Fees 18 Pa. Code § 16.13 (# 16A-4951)	Summer 2024, as Proposed	The rulemaking would update the fees for initial applications and reduce the biennial renewal fees of the State Board of Medicine to reflect recent analysis by the budget office of Board finances and fee-for-service costs. <i>Statutory Authority:</i> Section 6(a) of the Medical Practice Act of 1985 (63 P.S. § 422.6(a)) authorizes the setting of fees by regulation.	Saiyad Ali (717) 783-4852
Registration of Naturopathic Doctors 49 Pa. Code Chapter 18 (# 16A-4953)	Spring 2024, as Final	The final rulemaking will amend the Board’s regulations to implement the Naturopathic Doctor Registration Act, Act of Nov. 3, 2016, P.L. 997, No. 128, 63 P.S. §§ 272.101—272.301, which provides for the registration of naturopathic doctors. The regulation establishes fees, registration requirements, continuing education requirements, standards of practice, required records, advertising, grounds for discipline and types of discipline. The proposed regulation was published in the <i>Pennsylvania Bulletin</i> on December 18, 2022. Thereafter, the Board published an advance notice of final rulemaking (ANFR) on June 3, 2023, requesting additional public comment regarding certain key terms and definitions and corresponding amendments incorporating the key terms, as well as amendments to address clarity and lack of ambiguity. The final-form rulemaking has been delivered and is on the IRRC agenda scheduled for March 21, 2024.	Saiyad Ali (717) 783-4852

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<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Physician Assistants 49 Pa. Code Chapter 18 (# 16A-4955)</p>	<p>Summer 2024, as Final</p>	<p>This regulation implements Act 79 of 2021 by removing the requirement that a supervising physician countersign 100% of the patient files, by allowing all written agreements between physicians and physician assistants to be “filed” with the State Board of Medicine (Board) instead of “approved” by the Board, by specifying that physician assistants may practice without the onsite presence or personal direction of the supervising physician, by allowing for more autonomy in the language of the written agreement filed with the Board and by increasing the number of physician assistants that a supervising physician may supervise. This proposed regulation will amend the existing physician assistant regulations to conform with the amendments made to the Medical Practice Act under Act 79 of 2021 and to remove outdated language. The proposed rulemaking was published on December 16, 2023; public comment ended on January 16, 2024; IRRC’s comments are due on February 15, 2024. After the comment periods end, the Board will consider comments received and draft the final rulemaking package.</p>	<p>Saiyad Ali (717) 783-4852</p>
<p>Licensure by Endorsement 49 Pa. Code Chapter 17 (# 16A-4958)</p>	<p>Spring 2024, as Final</p>	<p>This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on August 13, 2022. The Board has drafted the final-form regulation and will be submitting same to the Governor’s office for internal review in the 1st quarter of 2024, as required by Executive Order 1996-1.</p>	<p>Saiyad Ali (717) 783-4852</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Opioid Prescribing and Education 49 Pa. Code Chapter 16 (# 16A-4960)	Summer 2024, as Proposed	The rulemaking will add to the current regulation regarding prescribing, administering and dispensing, to clarify that unprofessional conduct violates the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors) or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will also amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016.	Saiyad Ali (717) 783-4852
<b><i>State Board of Examiners of Nursing Home Administrators</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 39 (# 16A-6218)	Spring 2024, as Proposed	This regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Examiners of Nursing Home Administrators obtain required training in child abuse recognition and reporting.	Thomas Leech (717) 783-7142
Licensure by Endorsement 49 Pa. Code § 39.8a (# 16A-6220)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Thomas Leech (717) 783-7142

Regulation Being Considered	Proposed Date of Promulgation	Need and Legal Basis for Action	Agency Contact
<b>State Board of Nursing</b>			
Volunteer License 49 Pa. Code Chapter 21, Subchapter F §§ 21.601—21.607 (# 16A-5139)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45 requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Cindy Miller (717) 783-7142
Nursing Education Programs 49 Pa. Code Chapters 21 and 33 (# 16A-5141)	Spring 2024, as Proposed	This proposed rulemaking consolidates and updates pre- and post-licensure education regulations for registered nurses, licensed practical nurses and certified registered nurse practitioners and updates IV therapy terminology. This proposed rulemaking updates pre-licensure education regulations for registered nurses and licensed practical nurses. <i>Statutory Authority:</i> Sections 2.1(k), 6.2 and 11.2 of the Professional Nursing Law, 63 P.S. §§ 212.1(k), 216.2 and 221.2; and sections 17.5 and 17.6 of the Practical Nursing Law, 63 P.S. §§ 667.5 and 667.6. This rulemaking would also incorporate by reference the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the “safe prescription of a controlled substance containing an opioid” curriculum required by Act 126 of 2016.	Cindy Miller (717) 783-7142
Licensure by Endorsement and Reactivation 49 Pa. Code §§ 21.30a, 21.156a and 21.1101— 21.1104 (# 16A-5143)	Spring 2024, as Final	This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. In addition, this regulation delineates the specific number of practice hours in another jurisdiction needed as an option to prove continued competence when a license has lapsed or been inactive for 5 or more years. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on December 10, 2022. The Board has drafted the final-form regulation and submitted it to the Governor’s office for internal review on January 25, 2024, as required by Executive Order 1996-1.	Cindy Miller (717) 783-7142



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
CRNA Licensure 49 Pa. Code Chapter 21 (# 16A-5145)	Spring 2024, as Proposed	This proposed rulemaking will add certification and scope of practice provisions for certified registered nurse anesthetists (CRNAs) per Act 60 of 2021. <i>Statutory Authority:</i> Section 8.8 and 8.9 of the Professional Nursing Law (63 P.S. §§ 218.8 and 218.9).	Cindy Miller (717) 783-7142
Opioid Prescription and Education and Organ Donation Education 49 Pa. Code Chapter 21 (# 16A-5146)	Summer 2024, as Final	This rulemaking would add mandatory education on pain management or the identification of addiction under Act 124 of 2016 (ABC-MAP Act) and on organ and tissue donation and recovery under Act 90 of 2018 (Donate Life PA Act). The proposed rulemaking was published on September 16, 2023 (53 Pa.B. 5776); public comment ended on October 16, 2023; on November 15, 2023, IRRC notified the Board that it had no comments. The Board is drafting the final rulemaking package.	Cindy Miller (717) 783-7142
<b><i>State Board of Occupational Therapy Education and Licensure</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code §§ 42.41, 42.42, 42.45 and 42.47 (# 16A-679)	Summer 2023, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Occupational Therapy Education and Licensure obtain required training in child abuse recognition and reporting. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on October 22, 2022; the Board is drafting the final-form regulation. No comments were received from the public, IRRC or either legislative standing committee. The Board voted to adopt final-form rulemaking at its June 1, 2023, public meeting, and expects to deliver it Summer 2023.	Christina Townley (717) 783-1389
Licensure by Endorsement 49 Pa. Code §§ 42.1, 42.9 and 42.10 (# 16A-6713)	Winter 2023, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The final rulemaking was redelivered on June 8, 2023, and is on the agenda for IRRC's July 13, 2023, public meeting.	Christina Townley (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Board of Optometry</i></b>			
Volunteer License 49 Pa. Code § 23.26 (# 16A-5214)	Spring 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Shakeena Chappelle (717) 214-5702
Opioid Prescribing and Education 49 Pa. Code Chapter 23 (# 16A-5219)	Summer 2024, as Proposed	The State Board of Optometry proposes this rulemaking to set forth the minimum acceptable standards of practice that an optometrist licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016.	Shakeena Chappelle (717) 214-5702
<b><i>State Board of Osteopathic Medicine</i></b>			
Volunteer License 49 Pa. Code Chapter 25, Subchapter L, §§ 25.601—25.607 (# 16A-5323)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Priscilla Turek (717) 346-1188

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement and Licensure Requirements 49 Pa. Code Chapter 25 (# 16A-5336)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. This proposed regulation will also address the current transition and ultimate merger of the American Osteopathic Association (AOA), the American Association of Colleges of Osteopathic Medicine (AACOM) and the Accreditation Council for Graduate Medical Education (ACGME), creating a single accreditation system for all graduate medical education.	Priscilla Turek (717) 346-1188
		The regulation will also amend the existing licensure by endorsement requirement in § 25.242, which requires an applicant receive a passing score on an osteopathic manipulative therapy examination (the practical examination), by removing the requirement in its entirety. Proposed regulatory package has been prepared and is currently undergoing the necessary review by the Governor's office required by Executive Order 1996-1.	
Opioid Prescribing and Education 49 Pa. Code Chapter 25 (# 16A-5337)	Summer 2024, as Proposed	This rulemaking will add to the current regulation regarding prescribing, administering and dispensing, to clarify that it is unprofessional conduct to violate the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors) or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016.	Priscilla Turek (717) 346-1188

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Pharmacy</b>			
General Revisions 49 Pa. Code Chapter 27 (# 16A-5427)	Summer 2024, as Proposed	This proposed rulemaking would update the Board's regulations relating to standards of practice for pharmacists. Additionally, the regulation would amend application procedures to increase efficiency, and incorporate several Federal provisions to provide clarity for licensees and the general public. <i>Statutory Authority:</i> Section 6(k)(9) of the Pharmacy Act, 63 P.S. § 390-6(k)(9).	Christina Townley (717) 783-4862
Child Abuse Reporting Requirements 49 Pa. Code Chapter 27 (# 16A-5430)	Spring 2024, as Proposed	This proposed regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Pharmacy obtain required training in child abuse recognition and reporting.	Christina Townley (717) 783-4862
Licensure by Endorsement 49 Pa. Code §§ 27.25a and 27.25b (# 16A-5432)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Christina Townley (717) 783-4862
Pharmacy Technicians 49 Pa. Code Chapter 27 (# 16A-5433)	Spring 2024, as Proposed	This rulemaking will set up the registration requirements for pharmacy technicians and pharmacy technician trainees in accordance with the amendments made to the Pharmacy Act (Act 140 of 2020). Initial stakeholder outreach conducted; preparation of proposed rulemaking package currently underway. The proposed rulemaking package is being reviewed by the Office of Attorney General (OAG); pending OAG approval, delivery of the proposed rulemaking is expected 1st Quarter 2024.	Christina Townley (717) 783-4862

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Immunizations 49 Pa. Code Chapter 27 (# 16A-5434)	Summer 2024, as Final-Omitted	This rulemaking will implement Act 80 (Act of July 11, 2022, P.L. No. 80) which amended the Pharmacy Act to allow pharmacists and pharmacy interns to administer influenza and COVID-19 immunizations to children five years of age and older, and expanded who could supervise a pharmacy intern while such immunizations are administered. The Board's regulations will be revised to make relevant provisions consistent with Act 80.	Christina Townley (717) 783-4862
ABC-MAP Opioid Education 49 Pa. Code § 25.271(c) (# 16A-5435)	Summer 2024, as Proposed	The rulemaking will amend the Board's continuing education requirements to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. <i>Statutory Authority:</i> Section 6(k)(9) of the Pharmacy Act, 63 P.S. § 390-6(k)(9).	Christina Townley (717) 783-4862
<b><i>State Board of Physical Therapy</i></b>			
Education; Continuing Education 49 Pa. Code Chapter 40 (# 16A-6519)	Summer 2024, as Proposed	This proposed rulemaking would clarify an issue related to students enrolled in Board-approved schools of physical therapy who perform acts of physical therapy incidental to the student's course of study. Furthermore, this rulemaking would clarify that all PTs and PTAs may to obtain 100% of the required continuing education (CE) hours via online continuing education.	Michelle Roberts (717) 783-7134
Early Exam and CE for Clinical Instruction 49 Pa. Code Chapter 40 (# 16A-6522)	Fall 2024, as Final	This proposed rulemaking would allow physical therapist students, and physical therapist assistant students, to sit for the requisite examinations up to 90 days prior to graduation from their respective programs. Additionally, this proposed rulemaking would allow physical therapists (PTs) and physical therapist assistants (PTAs) who provide clinical instruction to student PTs and student PTAs, at clinical facilities affiliated with accredited programs, to receive a limited amount of continuing education credits for providing clinical instruction to student PTs and student PTAs. Furthermore, the proposed rulemaking will amend the Board's regulations to allow applicants to register for the National examination with the examination provider, without having to first obtain the Board's permission. Proposed rulemaking published on January 27, 2024 (54 Pa.B. 383); public comment ends on February 26, 2024; IRRC's comments will be due on March 27, 2024.	Michelle Roberts (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapter 40 (# 16A-6523)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Michelle Roberts (717) 783-7134
<b><i>State Board of Podiatry</i></b>			
Sexual Misconduct 49 Pa. Code Chapter 29 (# 16A-448)	Spring 2024, as Proposed	This proposed regulation would define and prohibit sexual behavior with patients and sexual exploitation. <i>Statutory Authority:</i> Section 15 of the Podiatry Practice Act (63 P.S. § 45.15) authorizes the Board to make such reasonable rules and regulations as it deems necessary and proper in order to carry out the intent and purposes of this act within the scope of this act.	Priscilla Turek (717) 346-1188
Authority to Perform Acupuncture 49 Pa. Code Chapter 29 (# 16A-449)	Summer 2024, as Proposed	This regulation is required to regulate the practice of acupuncture by podiatrists under the Acupuncture Licensure Act. <i>Statutory Authority:</i> Section 3(b) of the Acupuncture Licensure Act (63 P.S. § 1803).	Priscilla Turek (717) 346-1188
Volunteer License 49 Pa. Code Chapter 29 § 29.55 (# 16A-4411)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Priscilla Turek (717) 346-1188
Child Abuse Reporting Requirements 49 Pa. Code §§ 29.91—29.97 (# 16A-4412)	Summer 2024, as Final	This regulation updates the Board's regulations on mandatory reporting of suspected child abuse and implements the training/continuing education mandated by recent amendments to the Child Protective Services Law (CPSL), 23 P.S. §§ 6301—6386. <i>Statutory Authority:</i> Section 6383(b)(2) of the CPSL requires the Board to promulgate regulations consistent with the CPSL; Section 15 of the Podiatry Practice Act (act), 63 P.S. § 42.15, directs the Board to adopt regulations to carry out the purposes of the act. The proposed rulemaking was published on December 2, 2023; public comment ended on January 2, 2024; IRRC's comments are due by February 1, 2024.	Priscilla Turek (717) 346-1188

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Opioid Prescribing and Education 49 Pa. Code Chapter 29 (# 16A-4418)</p>	<p>Summer 2024, as Proposed</p>	<p>The rulemaking will add to the current regulation regarding prescribing, administering and dispensing, to clarify that it is unprofessional conduct to violate the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors) or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking will also amend the therapeutic drug list in order to update and make the list more current. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016. <i>Statutory Authority:</i> 35 Pa.C.S. § 5102, requires the board to adopt the curriculum by joint regulation. This rulemaking will amend the Boards Continuing Education regulation to allow for the carryover of 10 CE credits to the next renewal.</p>	<p>Priscilla Turek (717) 346-1188</p>
<p>Licensure by Endorsement and Qualifications for Licensure 49 Pa. Code Chapter 29 (# 16A-4419)</p>	<p>Spring 2024, as Proposed</p>	<p>This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. This regulation combined 16A-4415 (relating to qualifications for licensure), which proposes to update and clarify the requirements for licensure as a doctor of podiatric medicine. Combining was necessary to clarify Act 41 licensure requirements.</p>	<p>Priscilla Turek (717) 346-1188</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Performance of Radiographic Procedures by Auxiliary Personnel 49 Pa. Code Chapter 29 (# 16A-4420)	Spring 2024, as Proposed	The proposed rulemaking would amend § 29.13 to delete the fee for the application for authorization to perform radiologic procedures. It would also amend § 29.81 to add the acronyms ARRT and ASPMA to the definition section. The proposal seeks to amend § 29.82 to provide for the Board's preapproval of an examination in radiology. The proposal seeks to amend § 29.83 to delete reference to the application forms and to require auxiliary personnel to submit applications and pay the fee directly to the testing service rather than applying to the Board. Additionally, the Board seeks to delete and reserve § 29.84 as it no longer administers the examination.	Priscilla Turek (717) 346-1188
<b><i>State Board of Psychology</i></b>			
Continuing Education 49 Pa. Code § 41.59 (# 16A-6317)	Summer 2024, as Proposed	The Board, in its effort to continually review the efficacy of its regulations, has again reviewed the continuing education regulations and has determined that amendments are needed to update, revise and clarify the continuing education requirements. This proposed rulemaking would amend the requirements relating to home study, instruction and carry over. <i>Statutory Authority:</i> Section 15 of the Professional Psychologists Practice Act (63 P.S. § 1215) authorizes the Board to promulgate regulations relating to continuing education.	Thomas Leech (717) 710-2750
General Revisions 49 Pa. Code § 41.31 (# 16A-6320)	Summer 2024, as Proposed	This proposed rulemaking will update the Board's regulations to conform to changes made to the Professional Psychologists Practice Act by the Act of June 23, 2016 (P.L. 379, No. 53) (Act 53 of 2016). Act 53 of 2016 clarifies the scope of practice of psychology, grants the Board the power to issue temporary licenses to out of state licensees, revises and removes some of the previous exemptions to licensure, removes the time limitation pertaining to the retaking of the licensure examinations, eliminates the requirement that at least one year of supervised experience be obtained subsequent to the granting of the doctoral degree, gives the Board the ability to bar a suspended licensee from engaging in any other form of counseling or mental health practice and requires licensees to report multiple licensure of any other health profession. <i>Statutory Authority:</i> Section 3.2(2) of the Professional Psychologists Practice Act, 63 P.S. § 1203.2(2).	Thomas Leech (717) 710-2750



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Volunteer License 49 Pa. Code Chapter 41 (# 16A-6325)	Summer 2024, as Proposed	This proposed rulemaking implements amendments to the Volunteer Health Services Act made by the act of July 2, 2014 (P.L. 820, No. 86), which extended the coverage of the law to include mental health services. <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Thomas Leech (717) 710-2750
PCSAS Parity 49 Pa. Code §§ 41.1 and 41.31 (# 16A-6327)	Summer 2024, as Proposed	This proposed rulemaking increases acceptable accreditation programs to add PCSAS (Psychological Clinical Science Accreditation System). <i>Statutory Authority:</i> Section 3.2(2) of the Professional Psychologists Practice Act (act) (63 P.S. § 1203.2(2)) authorizes the Board to adopt and, from time to time, revise such rules and regulations and policies not inconsistent with the law as may be necessary to carry into effect the provisions of this act. Section 6(a)(1) of the act requires applicants to have graduated from an accredited college or university.	Thomas Leech (717) 710-2750
<b><i>State Board of Certified Real Estate Appraisers</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 36.226 and 36.227 (# 16A-7024)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Kristel Hennessy Hemler (717) 214-7779
Schedule of Fees 49 Pa. Code § 36.6 (# 16A-7025)	Spring 2024, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 9 of the Real Estate Appraisers Certification Act (63 P.S. § 457.9). Initial stakeholder outreach conducted. The Board has drafted the proposed rulemaking but is evaluating changes in fiscal status and will determine whether amendments to the fee package are warranted.	Kristel Hennessy Hemler (717) 214-7779

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Revisions 49 Pa. Code §§ 458.1—458.16 (# 16A-7026)	Summer 2024, as Proposed	This proposed rulemaking will update several provisions, including definitions, permissible and prohibited activity, and qualification of applicants, to conform with the Act 88 of 2020 amendments to the Assessors Certification Act. <i>Statutory Authority:</i> Section (3) of the Assessors Certification Act, 63 P.S. § 458.3. Board voted to approve proposed rulemaking; delivery of same to IRRC expected in 2nd Quarter 2024.	Kristel Hennessy Hemler (717) 214-7779
Broker Price Opinions 49 Pa. Code § 36.434 (# 16A-7027)	Summer 2024, as Proposed	This proposed rulemaking is needed for consistency with Act 75 of 2018, which amended the Real Estate Licensing Registration Act (RELRA) to allow licensed brokers, associate brokers and salespersons to perform BPO's in Pennsylvania.	Kristel Hennessy Hemler (717) 214-7779
Distance Education and PAREA 49 Pa. Code §§ 36.1, 36.11, 36.12, 36.12a, 36.13, 36.31, 36.43, 36.201, 36.224, 36.262 and 36.263 (# 16A-7029)	Spring 2024, as Proposed	The act of December 22, 2021 (P.L. 488, No. 100) (Act 100 of 2021) requires each licensing board to establish rules and regulations for continuing education that provides for distance education. This proposed rulemaking will update definitions and distance education standards for qualifying and continuing education courses. The rulemaking will affect certified residential and general real estate appraisers, licensed appraiser trainees and Certified Pennsylvania Evaluators. The distance education standards will comply with new Federal requirements implemented by the Appraisal Qualifications Board (AQB) effective January 1, 2022. Act 100 of 2021 also requires the Board to establish rules and regulations providing for virtual supervision in a manner that meets the requirements for licensure and certification. PAREA is the concept of using simulated computer-based, virtual training to fulfill the experience requirement to become a certified real estate appraiser. Candidates meet virtually with certified real estate appraisers (for example, mentors) who will review the appraiser training material, provide support and track the candidate's progress. Proposed regulatory package has been prepared and is currently undergoing the necessary internal review required by Executive Order 1996-1.	Kristel Hennessy Hemler (717) 214-7779

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
AMC Revisions (AMC Ownership Limitations) 49 Pa. Code § 36.412(b) (# 16A-7031)	Spring 2024, as Final-Omitted	The Board's AMC regulation regarding AMC ownership limitations is inconsistent with Federal regulations at 12 CFR 34.215(b)(1) and (2). Section 36.412(b) of the Board's AMC regulations states that an individual may not be an owner or key person if they had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered a license or certificate, unless the license or certificate was subsequently granted or reinstated to the individual. Under 12 CFR 34.215(b), however, an individual is not disqualified from becoming an owner of an AMC if the Board determines that the individual's license or certificate was not revoked, suspended, refused or surrendered for substantive cause and the individual's license or certificate was granted or reinstated. The final-omitted rulemaking is being revised and will be delivered 1st quarter 2024.	Kristel Hennessy Hemler (717) 214-7779
<b>State Real Estate Commission</b>			
General Revisions 49 Pa. Code Chapter 35 (# 16A-5616)	Fall 2024, as Proposed	The proposed rulemaking would update the Commission's regulations to reflect changes in the law and practice in the industry, which include advertising and escrow requirements. <i>Statutory Authority:</i> Section 404 of the Real Estate Licensing and Registration Act, 63 P.S. § 455.404. This regulation was formerly entitled "Advertising." The Board decided to expand the regulation to include other general updates.	Deon Bowers (717) 772-8542
Licensure by Endorsement 49 Pa. Code § 35.230 (# 16A-5625)	Summer 2024, as Proposed	This rulemaking amends the Commission's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Deon Bowers (717) 772-8542

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Broker Price Opinions 49 Pa. Code Subchapter J (# 16A-5626)	Summer 2024, as Proposed	The proposed rulemaking implements the act of June 29, 2018 (P.L. 500, No. 75) (Act 75 of 2018) which amended the Real Estate Licensing and Registration Act (63 P.S. §§ 455.101—455.902). The proposed regulations would add a new subchapter which sets forth limitations and requirements for broker price opinions, including required disclosures, signature requirements, permissible uses and required experience and education for brokers, associate brokers and salespersons.	Deon Bowers (717) 772-8542
<b><i>State Board of Social Workers, Marriage and Family Therapists and Professional Counselors</i></b>			
General Revisions 49 Pa. Code Chapters 47—49 (# 16A-6923)	Summer 2024, as Proposed	The Board has undertaken a comprehensive review of its regulations relating to qualifications for licensure, supervision of clinical experience, including the provision of supervision through electronic means and continuing education. The purpose of this rulemaking is to eliminate outdated provisions, update standards to reflect modern technology and to modernize the Board's processes relating to licensure. This rulemaking also amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Sarah McNeill (717) 425-7398
Volunteer License 49 Pa. Code Chapter 41 (# 16A-6924)	Summer 2024, as Proposed	This proposed rulemaking implements recent amendments to the Volunteer Health Services Act made by the act of July 2, 2014 (P.L. 820, No. 86), which extend the coverage of the law to include mental health services. <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Sarah McNeill (717) 425-7398

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapters 47—49 (# 16A-6925)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The Board is drafting the proposed regulatory package.	Sarah McNeill (717) 425-7398
<b><i>State Board of Examiners in Speech-Language Pathology and Audiology</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 45.601— 45.604 (# 16A-6808)	Spring 2024, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. Proposed rulemaking published May 26, 2023. The Board will review any comments received and begin drafting the final-form regulation.	Shakeena Chappelle (717) 214-5702
<b><i>State Board of Veterinary Medicine</i></b>			
Euthanasia 49 Pa. Code Chapter 31 (# 16A-5726)	Spring 2024, as Final	This rulemaking is necessary to implement the act of October 24, 2012 (P.L. 1452, No. 182) (Act 182 of 2012) which amended the Animal Destruction Method Authorization Law to require the State Board of Veterinary Medicine to register animal organizations and to license euthanasia technicians to permit the organizations to purchase controlled substances and employ euthanasia technicians for the humane euthanasia of small domestic animals. The Board is preparing the final rulemaking package.	Michelle Roberts (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapter 31 (# 16A-5730)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Michelle Roberts (717) 783-7134
Continuing Education 49 Pa. Code Chapter 31 (# 16A-5731)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to allow veterinarians to obtain 100% of the required 30 continuing education (CE) hours via online continuing education, and to clarify that veterinarians and CVTs are not required to complete continuing education during the biennial renewal cycle in which they first obtain certification or licensure. <i>Statutory Authority:</i> The act of December 22, 2021 (P.L. 488, No. 100) (Act 100 of 2021) requires each licensing board to establish rules and regulations for continuing education that provides for distance education. Section 18 of the Veterinary Medicine Practice Act (63 P.S. § 485.18) authorizes the Board to promulgate regulations relating to continuing education.	Michelle Roberts (717) 783-7134
Fees 49 Pa. Code Chapter 31 (# 16A-5732)	Spring 2024, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 13 of the Veterinary Medicine Practice Act (63 P.S. § 485.13). The proposed rulemaking is undergoing review as required by Executive Order 1996-1.	Michelle Roberts (717) 783-7134
<b><i>Department of Transportation (DOT)</i></b>			
Access to and Occupancy of Highways by Driveways and Local Roads 67 Pa. Code Chapter 441	Ongoing	The Department will be promulgating a regulation to rewrite the entirety of Chapter 441 and to address comments received during the promulgation of an earlier promulgated Chapter 441 regulation redefining the term "owner." Also increase in fees to cover Department costs.	Mike Dzurko (717) 783-6080

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Vehicle Equipment and Inspection 67 Pa. Code Chapter 175	Ongoing	This rulemaking updates vehicle equipment and inspection standards to better reflect current technologies, consistent with recommendations made by the Department's Inspection Advisory Board.	Laura Krol (717) 346-1907
Mid-cabin Cameras in School Buses 67 Pa. Code Chapter 171	Fall 2024	This rulemaking will allow and provide requirements on the installation of mid-cabin cameras to be placed in school buses.	Angelia Gillis (717) 346-1907
Mental/Emotional Regulations 67 Pa. Code Chapter 83	Fall 2024	The Department has proposed amendments to this regulation adding to authorize additional disqualifications by a healthcare provider of anyone that has a mental/emotional loss that may impair an individual's ability to drive safely.	Angelia Gillis (717) 346-1907
<b><i>Office of Administration (OA)</i></b>			
Office of Administration Civil Service Reform 4 Pa. Code Chapters 608—615	Winter 2023/ Spring 2024, as Proposed	This proposed rulemaking is needed to continue the implementation of Act 71 of 2018 (P.L. 460, No. 71), 71 Pa.C.S. Part III, commonly referred to as "the Civil Service Reform Act" ("Act"). The Act transferred administration of the Commonwealth's merit system of employment from the State Civil Service Commission ("SCSC") to the Office of Administration ("OA"). Under Section 2203(b)(2) of the Act, 71 Pa.C.S. § 2203(b)(2), OA may promulgate proposed regulations to facilitate implementation of the merit system. On March 16, 2019, OA, pursuant to its statutory authority, published temporary regulations implementing the transfer of duties from SCSC to OA. In March 2022, OA promulgated a new set of temporary regulations to address policy and procedural changes made by OA since promulgating the March 16, 2019 temporary regulations.	Cynthia Williams (717) 772-0981
<b><i>Pennsylvania Municipal Retirement System (PMRS)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Pennsylvania State Employees' Retirement System (SERS)</i></b>			
No regulations being developed or considered at this time.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Drug and Alcohol Programs (DDAP)</i></b>			
<p>Drug and alcohol treatment facility and recovery house licensing regulations 28 Pa. Code Part V, Chapters 701—717</p>	<p>Spring 2026, as Proposed</p>	<p>The Department plans to undergo a full-scale review and update of its regulations for licensure of drug and alcohol treatment facilities and recovery houses. Treatment facilities provide detoxification, inpatient and outpatient treatment, and rehabilitation to clients with substance use disorders (SUDs). Recovery houses provide supportive housing to individuals receiving outpatient treatment for SUD who may benefit from a substance-free environment and peer camaraderie, and must be licensed to accept funding or referrals from public sources. These regulations protect the public health and safety of clients and residents in treatment and housing settings. There has been substantial development in the field since the last comprehensive update to the treatment facility regulations in the 1980s. Prior to publishing proposed regulations, the Department will conduct significant background research and stakeholder engagement to draft all components of the regulatory package. The legal basis for the treatment facility regulations is section 1021 of the Human Services Code (62 P.S. § 1021) and the legal basis for the recovery house regulations is section 2312-A of The Administrative Code of 1929 (71 P.S. § 613.12).</p>	<p>Amichai Stout (215) 445-5496</p>
<b><i>Department of Community and Economic Development (DCED)</i></b>			
<p>Industrial Housing and Components 12 Pa. Code Chapter 145 (# 4-100) IRRC # 3382</p>	<p>Spring of 2024, as Proposed</p>	<p>The proposed regulation will revise section 145.93 to reduce the timing of factory inspections from every year to every two years, and will revise section 145.94 to increase fees. The proposed rulemaking package was approved by OGC on May 23, 2023, and the Office of Attorney General on June 14, 2023. It was submitted to IRRC on September 5, 2023. The public comment closed on October 16, 2023, with no comments having been received. However, subsequent to the comment deadline one supportive comment was received from Mary Gaiski, Exec. Vice Pres of the PA Manufactured Housing Association. We received one comment from IRRC which questioned whether we needed to consult with the Industrialized Housing Advisory Commission (IHAC) as per the statute. The IHAC is functionally defunct and DCED has promulgated regulations in the recent past without IHAC input because of this. We are working through this issue. The final regulation must be promulgated by October 16, 2025.</p>	<p>Katherine Jones (717) 257-6574 Kathejones@pa.gov</p>



<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of General Services (DGS)</i></b>			
Amendments to General Provisions; Allocations of Parking Permits 4 Pa. Code Chapter 71 Commonwealth Parking Facilities	April 2024, as Proposed	The Department is proposing to increase the violation fees from \$5.00 to \$30.00. This will align with Harrisburg City's fee amounts and deter misuse of Commonwealth parking spaces. The rulemaking will also update sections to better mirror current procedures concerning parking facilities. This proposed rulemaking primarily affects Commonwealth Employees, thus pursuing as final omitted. Preparation of proposed rulemaking package currently underway.	Juan Ruiz (717) 787-6789
<b><i>Pennsylvania Emergency Management Agency (PEMA)</i></b>			
No regulations being developed or considered at this time.			

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