

# PENNSYLVANIA BULLETIN

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Department of Banking and Securities  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Department of Transportation  
Game Commission  
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State Horse Racing Commission  
Susquehanna River Basin Commission  
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(Master Transmittal Sheet):**

**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.

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

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

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

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

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

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

The *Pennsylvania Bulletin* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

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### Printing Format

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

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

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

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

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

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

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

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 231—RULES OF CIVIL PROCEDURE

### PART II. ORPHANS' COURT RULES

#### [ 231 PA. CODE PART II ]

#### Proposed Amendment of Pa.R.O.C.P. 14.2, 14.3, 14.4, 14.6, 14.7, 14.8, and 14.9

The Orphans' Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Rules 14.2, 14.3, 14.4, 14.6, 14.7, 14.8, and 14.9 of the Pennsylvania Rules of Orphans' Court Procedure for the reasons set forth in the accompanying Publication Report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Pamela S. Walker, Counsel  
Orphans' Court Procedural Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9546  
orphanscourtproceduralrules@pacourts.us

All communications in reference to the proposal should be received by May 1, 2024. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Orphans' Court  
Procedural Rules Committee*

KENDRA D. McGUIRE, Esq.,  
*Chair*

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART II. ORPHANS' COURT RULES

#### CHAPTER XIV. GUARDIANSHIPS OF INCAPACITATED PERSONS

#### Rule 14.2. Petition for Adjudication of Incapacity and Appointment of a Guardian of the Person or Estate of an Incapacitated Person.

(a) *Petition Contents.* A petition to adjudicate an individual as an incapacitated person and appoint a guardian shall state in plain language:

(1) Name, age, address, and mailing address, if different, of the petitioner and the petitioner's relationship to the alleged incapacitated person;

(2) Name, date of birth, residence, and mailing address, if different, of the alleged incapacitated person;

(3) Names and addresses of the spouse, parents, and presumptive intestate heirs of the alleged incapacitated person and whether they are *sui juris* or *non sui juris*;

(4) Name and address of the person or institution providing residential services to the alleged incapacitated person;

(5) Names and addresses of other service providers and nature of services being provided;

(6) Whether there is an executed health care power of attorney or advance health care directive pursuant to Title 20, Chapter 54, and if so, the name and address of the person designated in the writing to act as the agent;

[ **Note: See 20 Pa.C.S. §§ 5421 *et seq.* for health care power of attorney and advance health care directive (combination of a living will and health care power of attorney).** ]

(7) Whether there is an executed power of attorney pursuant to Title 20, Chapter 56, and if so, the name and address of the person designated in the writing to act as the agent;

[ **Note: See 20 Pa.C.S. §§ 5601 *et seq.* for power of attorney.** ]

(8) Whether there is any other writing by the alleged incapacitated person pursuant to Title 20, Chapters 54 or 58 authorizing another to act on behalf of the alleged incapacitated person, and if so, the name and address of the person designated;

[ **Note: See 20 Pa.C.S. §§ 5441—5447 for Living Will Act; 20 Pa.C.S. §§ 5451—5465 for Health Care Agents and Representatives Act; 20 Pa.C.S. §§ 5821—5826 for Advance Directive for Mental Health Act; 20 Pa.C.S. §§ 5831—5845 for Mental Health Care Agents Act.** ]

**(9) Whether the alleged incapacitated person is represented by counsel and, if so, the name and address of counsel;**

**(10)** Reason(s) why guardianship is sought, including a description of functional limitations and the physical and mental condition of the alleged incapacitated person;

[ **(10)** ] **(11)** If not plenary, then specific areas of incapacity over which it is requested that the guardian be assigned powers;

[ **(11)** ] **(12)** The probability of whether the physical condition and mental condition of the alleged incapacitated person will improve;

[ **(12)** ] **(13)** Whether there has been a prior incapacity hearing concerning the alleged incapacitated person, and if so, the name of the court, the date of the hearing, and the determination of capacity;

[ **(13)** ] **(14)** [ **Steps taken to find a less restrictive alternative than a guardianship** ] **What less restrictive alternatives to a guardianship were considered or tried, and why the alternatives are unavailable or insufficient;**



[ (14) ] (15) If a guardian of the estate is sought:

(i) the gross value of the estate and net income from all sources, to the extent known; and

(ii) whether there is a prepaid burial account, to the extent known;

[ (15) ] (16) Whether the alleged incapacitated person is a veteran of the United States Armed Services, and whether the alleged incapacitated person is receiving benefits from the United States Veterans' Administration on behalf of himself or herself or through a spouse; and

[ (16) ] (17) Name and address, if available, of any person that the petitioner proposes should receive notice of the filing of guardianship reports pursuant to [ Rule 14.8(b) ] Pa.R.O.C.P. 14.8(b), which may include any person identified in [ paragraphs (a)(3)—(a)(8) ] subdivisions (a)(3)—(a)(9).

(b) *Nomination of Guardian.* The petition shall also include:

(1) The name, address, and mailing address, if different, of the proposed guardian whom the petitioner nominates to be appointed guardian and the nominee's relationship, if any, to the alleged incapacitated person. If the proposed guardian is an entity, then the name of the person or persons to have direct responsibility for the alleged incapacitated person and the name of the principal of the entity;

(2) Whether the proposed guardian has any adverse interest to the alleged incapacitated person;

(3) Whether the proposed guardian is available and able to visit or confer with the alleged incapacitated person;

(4) Whether the proposed guardian has completed any guardianship training, including the name of the training program, length of the training, and date of completion;

(5) Whether the proposed guardian has any guardianship certification, the current status of the certification, and any disciplinary action related to the certification;

(6) Whether the proposed guardian is, [ or ] was, or seeks to be a guardian in any other matters and, if so, the number of active matters; [ and ]

(7) If the proposed guardian is an individual seeking to serve in a third active guardianship and is not currently certified by a national certification organization, as defined in 20 Pa.C.S. § 5511(f)(2)(ii)(B)(III), then how the proposed guardian intends to satisfy the certification requirement prescribed in Pa.R.O.C.P. 14.6(c); and

(8) If the petition nominates a different proposed guardian of the estate from the proposed guardian of the person, then the information required in [ subparagraphs (b)(1)—(b)(6) ] subdivisions (b)(1)—(b)(7) as to each nominee.

(c) *Exhibits.* The following exhibits shall be appended to the petition:

(1) All writings referenced in [ paragraphs (a)(6)—(a)(8) ] subdivisions (a)(6)—(a)(8), if available;

(2) The certified response to a Pennsylvania State Police criminal record check, with Social Security Number redacted, for each proposed guardian issued within six months of the filing of the petition;

(i) If any proposed guardian has resided outside the Commonwealth within the previous five-year period and was 18 years of age or older at any time during that period, then the petition shall include a criminal record check obtained from the statewide database, or its equivalent, in each state in which such proposed guardian has resided within the previous five-year period.

(ii) [ When ] If any proposed guardian is an entity, the person or persons to have direct responsibility for the alleged incapacitated person and the principal of the entity shall comply with the requirements of [ subparagraph (c)(2) ] subdivision (c)(2).

[ Note: For information on requesting a criminal record check from the Pennsylvania State Police, see <http://www.psp.pa.gov/Pages/Request-a-Criminal-History-Record.aspx>. ]

(3) Any proposed orders as required by [ Rule 3.4(b) ] Pa.R.O.C.P. 3.4(b); [ and ]

(4) Any consent or acknowledgement of a proposed guardian to serve[ . ]; and

(5) Certification. If the proposed guardian is required to be certified pursuant to 20 Pa.C.S. § 5511(f) because he or she is seeking appointment to a third active guardianship, then either:

(i) proof of national certification pursuant to Pa.R.O.C.P. 14.6(c)(2);

(ii) proof of current certification by a court of competent jurisdiction; or

(iii) a concurrent petition for waiver of the certification requirement accompanied by written proof of equivalent licenses or certifications to ensure the capability of the proposed guardian.

(d) *Emergency Guardian.* A petition seeking the appointment of an emergency guardian shall aver with specificity the facts giving rise to the emergent circumstances and why the failure to make such an appointment will result in irreparable harm to the person or estate of the alleged incapacitated person.

[ Note: Limitations on emergency guardianships are prescribed by statute. See 20 Pa.C.S. § 5513. ]

(e) *Separate Petitions.* Separate petitions shall be filed for each alleged incapacitated person.

(f) *Citation with Notice.* A citation with notice using the form provided in the Appendix to these Rules shall be attached to and served with the petition and any preliminary order as follows:

(1) By personal service upon the alleged incapacitated person no less than 20 days prior to the hearing. Additionally, the content and terms of the petition shall be explained to the maximum extent possible in language and terms the alleged incapacitated person is most likely to understand.

(2) In a manner permitted by [ Rule 4.3 ] Pa.R.O.C.P. 4.3 no less than 20 days prior to the hearing upon:

(i) All persons *sui juris* who would be entitled to an intestate share in the estate of the alleged incapacitated person;

(ii) The person or institution providing residential services to the alleged incapacitated person;

(iii) Any person named in [ paragraphs (a)(6)—(a)(8) ] subdivisions (a)(6)—(a)(9); and

(iv) Such other entities and persons as the court may direct, including service providers.

[ Note: For notice to the United States Veterans' Bureau, see 20 Pa.C.S. § 8411. ]

(3) For a petition seeking the appointment of an emergency guardian, the court may direct the manner of service as emergent circumstances warrant. Thereafter, notice shall be served in accordance with [ Rule 14.2(f)(2) ] Pa.R.O.C.P. 14.2(f)(2).

[ Explanatory ] Comment:

See 20 Pa.C.S. §§ 5421 *et seq.* for health care power of attorney and advance health care directive (combination of a living will and health care power of attorney). See 20 Pa.C.S. §§ 5601 *et seq.* for power of attorney. See 20 Pa.C.S. §§ 5441—5447 for Living Will Act; 20 Pa.C.S. §§ 5451—5465 for Health Care Agents and Representatives Act; 20 Pa.C.S. §§ 5821—5826 for Advance Directive for Mental Health Act; 20 Pa.C.S. §§ 5831—5845 for Mental Health Care Agents Act.

See 20 Pa.C.S. § 5511(a.1)(1) pertaining to the petitioner's obligation to inform the court if the petitioner learns the alleged incapacitated person is represented by counsel.

For information on requesting a criminal record check from the Pennsylvania State Police, see <https://www.psp.pa.gov/Pages/Request-a-Criminal-History-Record.aspx>. Concerning the requirement of a criminal record check set forth in [ paragraph (c)(2) ] subdivision (c)(2), the Pennsylvania State Police has created the Pennsylvania Access to Criminal History ("PATCH") System to enable the public to obtain criminal history record checks via Internet request. The certified response from the Pennsylvania State Police criminal history record check need not be notarized to comply with the requirements of this rule. Any response other than "no record" may require supplementation at the discretion of the court.

An individual seeking appointment to a third active guardianship must be certified pursuant to Pa.R.O.C.P. 14.6(c) prior to the third guardianship appointment. See also 20 Pa.C.S. § 5511(f).

Limitations on emergency guardianships are prescribed by statute. See 20 Pa.C.S. § 5513.

For notice to the United States Veterans' Bureau, see 20 Pa.C.S. § 8411.

**Rule 14.3. Alternative Proof of Incapacity: Expert Report in Lieu of In-Person or Deposition Testimony of Expert.**

(a) A petitioner may seek to offer into evidence an expert report for the determination of incapacity in lieu of testimony, in-person or by deposition, of an expert using the form provided in the Appendix to these rules. In an emergency guardianship proceeding, an expert report may be offered into evidence if specifically authorized by the court.

(b) *Notice.*

(1) If a petitioner seeks to offer an expert report permitted under [ paragraph (a) ] subdivision (a), the petitioner shall serve a copy of the completed report upon the alleged incapacitated person's counsel and all other counsel of record pursuant to [ Rule 4.3 or, if unrepresented, upon the alleged incapacitated person, pursuant to Pa.R.C.P. No. 402(a) by a competent adult ] Pa.R.O.C.P. 4.3 no later than ten days prior to the hearing on the petition.

(2) If a petitioner seeks to offer an expert report, as permitted under [ paragraph (a) ] subdivision (a), the petitioner shall serve pursuant to [ Rule 4.3 ] Pa.R.O.C.P. 4.3 a notice of that fact upon those entitled to notice of the petition and hearing no later than ten days prior to the hearing on the petition.

(3) The petitioner shall file a certificate of service with the court as to [ paragraphs (b)(1) and (b)(2) ] subdivisions (b)(1) and (b)(2).

(c) *Demand.*

(1) Within five days of service of the completed report provided in [ paragraph (b)(1) ] subdivision (b)(1), the alleged incapacitated person's counsel [ or, if unrepresented, the alleged incapacitated person, ] may file with the court and serve upon the petitioner pursuant to [ Rule 4.3 ] Pa.R.O.C.P. 4.3 a demand for the testimony of the expert.

(2) If a demand for testimony is filed and served as provided herein, then the expert report may not be admitted and an expert must provide testimony at the hearing, whether in-person or by deposition.

(d) Unless otherwise demanded pursuant to [ paragraph (c)(2) ] subdivision (c)(2), in the sole discretion of the court, incapacity may be established through the admission of an expert report prepared in compliance with the form provided in the Appendix to these rules. The expert must be qualified by training and experience in evaluating individuals with incapacities of the type alleged in the petition. The expert must sign, date, and verify the completed expert report.

(e) In the interest of justice, the court may excuse the notice and demand requirements set forth in [ paragraphs (b) and (c) ] subdivisions (b) and (c).

[ Explanatory ] Comment:

This [ Rule ] rule is intended to permit the alleged incapacitated person to exercise the right to cross-examine testimony as to the capacity of the alleged incapacitated person. See 20 Pa.C.S. § 5518.1. Permitting the use of an expert report in compliance with this [ Rule ] rule replaces the requirement of testimony, in-person or by deposition, of an expert. See 20 Pa.C.S. § 5518. "Deposition," as used in this [ Rule ] rule is intended to be a deposition conducted in accordance with the Pennsylvania Rules of Civil Procedure. The [ Rule ] rule is permissive; whether an expert report is admitted in lieu of testimony is in the sole discretion of the court. Nothing in this [ Rule ] rule is intended to preclude the court from requiring testimony from the expert or otherwise requiring supplementation.

**Rule 14.4. Counsel.**

(a) *Retention of Counsel.* [ **If counsel for the alleged incapacitated person has not been retained, the petitioner shall notify the court in writing at least seven days prior to the adjudicatory hearing that the alleged incapacitated person is unrepresented and also indicate whether the alleged incapacitated person has requested counsel.** ] **If not set forth in the petition for adjudication of incapacity and appointment of a guardian, the petitioner shall advise the court in writing as soon as the petitioner becomes aware that the alleged incapacitated person has retained counsel.**

(b) *Private Counsel.* If the alleged incapacitated person has retained private counsel, counsel shall prepare a comprehensive engagement letter for the alleged incapacitated person to sign, setting forth when and how counsel was retained, the scope of counsel's services, whether those services include pursuing any appeal, if necessary, how counsel will bill for legal services and costs and the hourly rate, if applicable, who will be the party considered responsible for payment, whether any retainer is required, and if so, the amount of the retainer. Counsel shall provide a copy of the signed engagement letter to the court upon request.

(c) *Appointed Counsel.* [ **The court may appoint counsel if deemed appropriate in the particular case. Any such order appointing counsel shall delineate the scope of counsel's services and whether those services include pursuing any appeal, if necessary.** ]

**(1) Generally. Regardless of the ability of the alleged incapacitated person to pay, the court shall appoint counsel to represent the alleged incapacitated person in any matter for which counsel has not been retained by the alleged incapacitated person, including in all proceedings initiated by a petition filed pursuant to Pa.R.O.C.P. 14.2 and in any proceedings to review, modify, or terminate a guardianship.**

**(2) Qualifications of Appointed Counsel. Prior to appointing counsel to represent an alleged incapacitated person, the court shall inquire as to the experience and training of counsel to ensure adequate representation of the alleged incapacitated person.**

**(3) Initial Meeting; Certification.**

**(i) Appointed counsel shall meet with the alleged incapacitated person as soon as reasonably possible after the appointment.**

**(ii) Within five days of the initial meeting between appointed counsel and the alleged incapacitated person, appointed counsel shall file a certification with the court setting forth the time and place of the meeting.**

(d) *Other Counsel.* Counsel for any other party shall enter an appearance in accordance with [ **Rule 1.7(a) Pa.R.O.C.P. 1.7(a).** ]

**[ Explanatory ] Comment:**

Reasonable counsel fees, when appropriate, should be paid from the estate of the alleged incapacitated person whenever possible. If the alleged incapacitated person is

unable to pay for counsel, then the court may order counsel fees and costs to be paid by the county. *See* 20 Pa.C.S. § 5511(c). Any fee dispute should be resolved in a timely and efficient manner to preserve resources in order to maintain the best possible quality of life for the incapacitated person.

**The order adjudicating incapacity and appointing a guardian will identify the scope of representation of court-appointed counsel. See Pa.R.O.C.P. 14.7(b)(1)(v).**

**See 20 Pa.C.S. § 5511(a.1)(3) pertaining to appointed counsel's representation of an alleged incapacitated person. See also Pa.R.P.C. 1.14 (responsibilities of counsel to a client with diminished capacity).**

**Retained or appointed counsel may not serve as guardian ad litem for the alleged incapacitated person. See 20 Pa.C.S. § 5511(a.1)(3).**

**Rule 14.6. Determination of Incapacity and Selection of Guardian; Certification of Certain Guardians.**

(a) *Determination of Incapacity.* The procedure for determining incapacity and for appointment of a guardian shall meet all requirements set forth at 20 Pa.C.S. §§ 5511, 5512, and 5512.1. In addition, the petitioner shall present the citation and proof of service at the hearing.

[ **Note: See *In re Peery*, 727 A.2d 539 (Pa. 1999) (holding a person does not require a guardian if there is no need for guardianship services).** ]

(b) *Selection of Guardian.* If guardianship services are needed, then the court shall appoint the person nominated as such in a power of attorney, a health care power of attorney, an advance health care directive, a mental health care declaration, or mental health power of attorney, except for good cause shown or disqualification. Otherwise, the court shall consider the eligibility of one or more persons to serve as guardian in the following order:

**(1) Guardian of the Person:**

- (i) The guardian of the estate;
- (ii) The spouse, unless estranged or an action for divorce is pending;
- (iii) An adult child;
- (iv) A parent;
- (v) The nominee of a deceased or living parent of an unmarried alleged incapacitated person;
- (vi) An adult sibling;
- (vii) An adult grandchild;
- (viii) Other adult family member;
- (ix) An adult who has knowledge of the alleged incapacitated person's preferences and values, including, but not limited to religious and moral beliefs, and would be able to assess how the alleged incapacitated person would make decisions; or
- (x) Other qualified proposed guardian, including a professional guardian.

(2) *Guardian of the Estate.* When the estate of the incapacitated person consists of minimal assets or where the proposed guardian possesses the skills and experience necessary to manage the finances of the estate:



- (i) The guardian of the person;
- (ii) The spouse unless estranged or an action for divorce is pending;
- (iii) An adult child;
- (iv) A parent;
- (v) The nominee of a deceased or living parent of an unmarried alleged incapacitated person;
- (vi) An adult sibling;
- (vii) An adult grandchild;
- (viii) Other adult family member; or
- (ix) An adult who has knowledge of the alleged incapacitated person's preferences and values, including, but not limited to religious and moral beliefs, and would be able to assess how the alleged incapacitated person would make decisions.

[ **Where** ] **If** no individual listed in [ **subparagraphs (i)–(ix) of paragraph (b)(2)** ] **subdivisions (b)(2)(i)–(ix)** possesses the skills and experience necessary to manage the finances of the estate, **then** the guardian of the estate may be any qualified proposed guardian, including a professional guardian or corporate fiduciary.

**(c) Certification of Guardian.**

**(1) Generally.** An individual shall be certified or receive waiver of certification pursuant to this subdivision prior to appointment to a third active guardianship.

**(2) Certification by a National Organization.**

**(i) An individual seeking to serve as a guardian in a third active guardianship may satisfy the certification requirement of 20 Pa.C.S. § 5511(f)(2) by being certified by a national nonprofit organization that provides a certification program for guardians requiring:**

- (A) submission of education and employment history;**
- (B) submission of Federal and State criminal history record information;**
- (C) passage of a certification exam by the organization; and**
- (D) administration of a comprehensive certification program for guardians that includes a compliance and decertification process for certified guardians.**

**(ii) Continuing duty.** A guardian certified by a national organization defined in subdivision (c)(2)(i) shall:

- (A) maintain the certification in good standing;**
- (B) annually file a written verification with the court confirming that the certification is in good standing; and**
- (C) notify the court in writing of any certification lapse, suspension, termination, or disciplinary action within seven days of such action.**

**(3) Waiver by equivalent license or certification.**

**(i) Generally.** The certification required by subdivision (c)(1) may be waived by the court following the grant of a petition demonstrating that a proposed guardian has such equivalent licenses or

certifications as are necessary to ensure that the proposed guardian is capable of fully, faithfully, and competently performing the obligations of a guardian. The equivalent licenses or certifications shall be relevant to the type of guardianship being established.

**(ii) Judicial Notice.** A court shall take judicial notice of a guardianship certification granted by a court of competent jurisdiction.

**(iii) Prohibition.** A license to practice law is not an equivalent license or certifications for purposes of subdivision (c)(3)(i).

[ **Explanatory** ] Comment:

See *In re Peery*, 727 A.2d 539 (Pa. 1999) (holding a person does not require a guardian if there is no need for guardianship services).

If a principal nominates a guardian pursuant to a power of attorney, a health care power of attorney, an advance health care directive, which is a combination of a living will and a health care power of attorney, a mental health care declaration, or mental health power of attorney, then court must appoint that person as guardian except for good cause or disqualification. See 20 Pa.C.S. § 5604(c)(2) (power of attorney); 20 Pa.C.S. § 5460(b) (health care power of attorney); 20 Pa.C.S. § 5422 (defining “advance health care directive”); 20 Pa.C.S. § 5823 (mental health declaration); 20 Pa.C.S. § 5841(c) (mental health power of attorney); see also 20 Pa.C.S. § 5511(f) (who may be appointed guardian).

For guardianship certification and waiver pursuant to subdivision (c), see 20 Pa.C.S. § 5511(f). The Center for Guardianship Certification is an example of an organization that meets the criteria of § 5511(f).

See Pa.R.O.C.P. 14.2(c)(5) pertaining to exhibits to the petition for appointment of guardian to demonstrate compliance with subdivision (c) and 20 Pa.C.S. § 5511(f).

Examples of relevant licenses or certifications for a proposed guardian of the person may include, but are not limited to, health care, social work, or psychology. Examples of relevant licenses or certifications for a proposed guardian of the estate may include, but are not limited to, accounting, financial management, or retirement income planning.

A license to practice law is not an equivalent license or certification for purposes of seeking waiver of certification pursuant to 20 Pa.C.S. § 5511(f)(3).

**Rule 14.7. Order and Certificate.**

**(a) Findings of Fact.** The court shall make specific findings of fact concerning:

**(1) The nature of any condition or disability that impairs the incapacitated person's capability to make and communicate decisions;**

**(2) The extent of the incapacitated person's capacity to make and communicate decisions;**

**(3) The need for guardianship services, if any, based upon but not limited to:**

**(i) the ability of family, friends, and other supports to assist the incapacitated person in making decisions; and**

**(ii) less restrictive alternatives; and**

**(4) The absence of sufficient family, friends, or other supports and of the insufficiency of each less restrictive alternative before ordering guardianship.**

**(b) Order Adjudicating Incapacity and Appointing Guardian.**

(1) An order adjudicating incapacity and appointing a guardian shall address:

(i) the type of guardianship being ordered and any limits, if applicable;

(ii) the continued effectiveness of any previously executed powers of attorney or health care powers of attorney and the authority of such agent to act under the document;

(iii) the necessity of filing reports pursuant to [ **Rule 14.8(a)** ] **Pa.R.O.C.P. 14.8(a)**; [ **and** ]

(iv) the person or persons entitled to receive notice of the filing of such reports, pursuant to [ **Rule 14.8(b)** ] **Pa.R.O.C.P. 14.8(b)**; **and**

**(v) the scope of representation of court-appointed counsel.**

(2) An order adjudicating incapacity and appointing a guardian shall contain a provision substantially in the following form:

[Incapacitated person] is hereby notified of the right to seek reconsideration of this Order pursuant to [ **Rule 8.2** ] **Pa.R.O.C.P. 8.2** and the right to appeal this Order within 30 days from the date of this Order by filing a Notice of Appeal with the Clerk of the Orphans' Court. [Incapacitated person] may also petition the court at any time to review, modify, or terminate the guardianship due to a change in circumstances. [Incapacitated person] has a right to be represented by an attorney to file a motion for reconsideration, an appeal, or to seek modification or termination of this guardianship. If the assistance of counsel is needed and [incapacitated person] cannot afford an attorney, an attorney will be appointed to represent [incapacitated person] free of charge.

**(3) Scheduled Review Hearing. If the court finds that evidence presented during the guardianship proceeding indicates that the circumstances of the incapacitated person's incapacity may change, the order shall include the date for a review hearing no later than one year from the date of the order establishing the guardianship.**

[ **(b)** ] **(c) Order Adjudicating Incapacity and Appointing Guardian of Estate.**

(1) In addition to the requirements set forth in [ **paragraph (a)(1)** ] **subdivision (b)(1)**, an order adjudicating incapacity and appointing a guardian of the estate shall address:

(i) whether a bond is required and when the bond is to be filed; and

(ii) whether the guardian can spend principal without prior court approval.

(2) In addition to the requirement set forth in [ **paragraph (a)(2)** ] **subdivision (b)(2)**, an order adjudicating incapacity and appointing a guardian of the estate shall contain a provision substantially in the following form:

All financial institutions, including without limitation, banks, savings and loans, credit unions, and brokerages, shall grant to the guardian of [incapacitated person]'s estate access to any and all assets, records, and accounts maintained for the benefit of [incapacitated person], and the guardian of [incapacitated person]'s estate shall be entitled to transfer, retitle, withdraw, or otherwise exercise dominion and control over any and all said assets, records, and accounts. The failure of any financial institution to honor this order may lead to contempt proceedings and the imposition of sanctions.

[ **(c)** ] **(d) Certificate of Guardianship of Estate.**

**(1) Certificate of Plenary Guardianship of Estate.** Upon the request of the **plenary** guardian of the estate, the clerk shall issue a certificate substantially in the following form:

(Caption)

I CERTIFY that on \_\_\_\_\_, [ **after giving full consideration to the factors set forth in Chapter 55 of the Probate, Estates, and Fiduciaries Code, 20 Pa.C.S. §§ 5501 et seq., in the above-captioned matter,** ] the Court adjudged \_\_\_\_\_ an incapacitated person and appointed \_\_\_\_\_ as plenary guardian of the estate. **At the time of this certification, there is no record of modification of the appointment order on the docket.**

FURTHER, I CERTIFY the Court, *inter alia*, ordered that:

All financial institutions, including without limitation, banks, savings and loans, credit unions, and brokerages shall grant to the guardian of [incapacitated person]'s estate access to any and all assets, records, and accounts maintained for the benefit of [incapacitated person], and the guardian of [incapacitated person]'s estate shall be entitled to transfer, retitle, withdraw, or otherwise exercise dominion and control over any and all said assets, records, and accounts. The failure of any financial institution to honor this order may lead to contempt proceedings and the imposition of sanctions.

Witness my hand and seal of said Court this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

[seal]

CLERK OF ORPHANS' COURT

**(2) Certificate of Limited Guardianship of Estate.** Upon the request of the limited guardian of the estate, the clerk shall issue a certificate substantially in the following form:

(Caption)

I CERTIFY that on \_\_\_\_\_, the Court adjudged \_\_\_\_\_ an incapacitated person and appointed \_\_\_\_\_ as limited guardian of the estate. **At the time of this certification, there is no record of modification of the appointment order on the docket.**

**This is a limited certification of guardianship. The order appointing the limited guardian shall determine the extent of the guardian's authority.**

Witness my hand and seal of said Court this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

[ seal ]

**CLERK OF ORPHANS' COURT**

**(e) Order Adjudicating Incapacity and Denying Appointment of a Guardian in Whole or in Part. An order denying the appointment of a guardian in whole or in part shall identify the less restrictive alternatives that are available and sufficient to enable the alleged incapacitated person to manage personal resources or to meet essential requirements of personal physical health and safety.**

[ Explanatory ] Comment:

The requirements of [ paragraph (a) ] subdivisions (a)-(b) are intended to apply to all guardianship orders.

**The findings of fact required by subdivision (a) is not a publicly available document unless included in the order adjudicating incapacity. See Case Records Public Access Policy of the Unified Judicial System of Pennsylvania, § 9.0B, 204 Pa. Code § 213.81. Less restrictive alternatives include, but are not limited to, an advance directive, such as a durable power of attorney or trust, a living will, health care power of attorney, health care representative, financial power of attorney, trusts, including special needs trusts, representative payees for individuals receiving Social Security benefits, and mental health advance directives.**

**See 20 Pa.C.S. § 5512.2(a) and Pa.R.O.C.P. 14.9 pertaining to grounds and procedures for scheduled review hearings, respectively.**

The items addressed and contained in the order, as set forth in [ paragraphs (a) and (b) ] subdivisions (b) and (c), are not exhaustive. The court may fashion a guardianship of a person order to inform health care providers of the guardian's authority, including the authority to give informed consent to proposed treatment, to share information, and to make decisions for the incapacitated person. See also *In re DLH*, 2 A.3d 505 (Pa. 2010) (discussing whether guardian has authority concerning life-preserving care); 20 Pa.C.S. § 5460(a) (requiring the court to determine the extent of agent's authority under a health care power of attorney); 20 Pa.C.S. § 5604(c)(3) (requiring the court to determine the extent of agent's authority under a durable power of attorney).

**The incapacitated person and any substitute decision maker may be assisted by the information in subdivision (e) to communicate instructions to third parties. See 20 Pa.C.S. § 5512.1(a)(6)(iv).**

**Rule 14.8. Guardianship Reporting, Monitoring, Review, and Compliance.**

\* \* \* \* \*

(b) *Notice of Filing.* If, pursuant to [ Rule 14.7(a)(1)(iv) ] Pa.R.O.C.P. 14.7(b)(1)(iv), the order appointing the guardian identifies the person or persons entitled to receive notice of the filing of any report set forth in [ paragraph (a) ] subdivision (a), the guardian shall serve a notice of filing within ten days after filing a report using the form provided in the Appendix to these [ Rules ] rules. Service shall be in accordance with [ Rule 4.3 ] Pa.R.O.C.P. 4.3.

\* \* \* \* \*

(f) *Compliance.* To ensure compliance with these reporting requirements:

(1) If any report is deemed incomplete or is more than 20 days delinquent, then the clerk or the court's designee shall serve notice on the guardian directing compliance

within 20 days, with a copy of the notice sent to the court and the guardian's counsel, if represented.

(2) If the guardian fails to comply with the reporting requirements within 20 days of service of the notice, then the clerk or the court's designee shall file and transmit a notice of deficiency to the adjudicating judge and serve a notice of deficiency on those persons named in the court's order pursuant to [ Rule 14.7(a)(1)(iv) ] Pa.R.O.C.P. 14.7(b)(1)(iv) as being entitled to receive a notice of filing.

\* \* \* \* \*

**Rule 14.9. Review Hearing.**

(a) *Initiation.* A review hearing may be requested by petition[ or ], ordered by the court **upon its own initiative, or set forth in the order adjudicating incapacity and appointing a guardian.**

(b) *Petition.*

(1) A petition for a review hearing shall set forth:

[ (1) ] (i) the name, age, address, and mailing address, if different, of the petitioner and the petitioner's relationship to the incapacitated person;

[ (2) ] (ii) the date of the adjudication of incapacity;

[ (3) ] (iii) the names and addresses of all guardians;

[ (4) ] (iv) if the incapacitated person has been a patient in a mental health facility, the name of such facility, the date of admission, and the date of discharge;

[ (5) ] (v) the present address of the incapacitated person, and the name of the person with whom the incapacitated person is living;

[ (6) ] (vi) the names and addresses of the presumptive intestate heirs of the incapacitated person and whether they are *sui juris* or non *sui juris*; and

[ (7) ] (vii) an averment that:

[ (i) ] (A) there has been significant change in the incapacitated person's capacity and the nature of that change;

[ (ii) ] (B) there has been a change in the need for guardianship services and the nature of that change; or

[ (iii) ] (C) the guardian has failed to perform duties in accordance with the law or act in the best interest of the incapacitated person, and details as to the duties that the guardian has failed to perform or has performed but are allegedly not in the best interests of the incapacitated person.

[ (c) ] (2) *Service.* The petition shall be served in accordance with [ Rule 4.3 ] Pa.R.O.C.P. 4.3 upon the incapacitated person and those entitled to notice pursuant to [ Rule 14.2(f)(2) ] Pa.R.O.C.P. 14.2(f)(2).

[ (d) ] (3) *Hearing.* The review hearing shall be conducted promptly after the filing of the petition with notice of the hearing served upon those served with the petition pursuant to [ paragraph (c) ] subdivision (b)(2).

**(c) Scheduled Review Hearing. If the court orders a review hearing on its own initiative or in the order establishing the guardianship pursuant to Pa.R.O.C.P. 14.7(b)(3), then:**

**(1) the court shall give notice of the hearing to the incapacitated person and those entitled to notice pursuant to Pa.R.O.C.P. 14.2(f)(2) at least 20 days prior to the date of the hearing; and**



**(2) the hearing notice shall be served in compliance with Pa.R.O.C.P. 4.3.****[ Explanatory ] Comment:**

Nothing in this [ Rule ] rule is intended to preclude the court from scheduling a review hearing upon its own initiative or in the order adjudicating incapacity and appointing a guardian. For the court's disposition [ of a petition for ] of a review hearing and evidentiary burden of proof, see 20 Pa.C.S. § 5512.2.

**SUPREME COURT OF PENNSYLVANIA  
ORPHANS' COURT PROCEDURAL RULES  
COMMITTEE**

**PUBLICATION REPORT**

**Proposed Amendment of Pa.R.O.C.P. 14.2, 14.3, 14.4,  
14.6, 14.7, 14.8, and 14.9**

The Orphans' Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Rules 14.2, 14.3, 14.4, 14.6, 14.7, 14.8, and 14.9 of the Pennsylvania Rules of Orphans' Court Procedure. This proposal would update procedural rules in guardianship matters pursuant to a recent statutory enactment. See Act of December 14, 2023, P.L. 446, No. 61 ("Act 61").

Act 61 includes guardianship reforms in the areas of mandatory appointment of counsel, certification of guardians, consideration of less restrictive alternatives before appointing a guardian, and scheduling review hearings within one year when there may be a change in capacity. While Act 61 largely contains substantive matters that are self-executing, amendment of the procedural rules governing guardianship matters appears warranted.

*Mandatory Appointment of Counsel*

Currently, appointment of counsel in a guardianship case is at the discretion of the court. "In appropriate cases, counsel shall be appointed to represent the alleged incapacitated person in any matter for which counsel has not been retained by or on behalf of that individual." 20 Pa.C.S. § 5511(a) (effective through June 10, 2024). Act 61 eliminates the court's discretionary appointment power and makes appointment of counsel mandatory in all circumstances when the alleged incapacitated person has not retained counsel. "[T]he court shall appoint counsel to represent the alleged incapacitated person in any matter for which counsel has not been retained by the alleged incapacitated person, including in [a guardianship proceeding] and in any subsequent proceedings to consider, modify[,] or terminate a guardianship." 20 Pa.C.S. § 5511(a.1)(2) (effective June 11, 2024). The appointment is to be made without regard to the alleged incapacitated person's ability to pay. 20 Pa.C.S. § 5511(c). New § 5511(a.1)(2) also provides that "[a]ppointed counsel shall be qualified by experience or training and shall act without delay under the circumstances." 20 Pa.C.S. § 5511(a.1)(2).

In order to facilitate appointment of counsel, the petitioner is required to notify the court if he or she knows that the alleged incapacitated person is represented by counsel. See 20 Pa.C.S. § 5511(a.1)(1). The petitioner must give notice to the court in the petition or as soon as the petitioner becomes aware of the representation. *Id.*

Section 5511(a.1) also contains directives pertaining to the relationship between appointed counsel and the alleged incapacitated person. Appointed counsel for the

alleged incapacitated person is required to "maintain a normal client-attorney relationship with the client", "advocate for the client's expressed wishes and consistent with the client's instructions" to the extent possible, and "comply with the Rules of Professional Conduct governing the attorney-client relationship." 20 Pa.C.S. § 5511(a.1)(3). New § 5511(a.1)(3) also requires appointed counsel to "meet with the incapacitated person as soon as reasonably possible after the appointment" and file a certification of the meeting with the court within five days. *Id.* Finally, there is an express prohibition on retained or appointed counsel serving as guardian *ad litem* for the alleged incapacitated person. *Id.*

*Proposed Rules Changes:* Incorporating the mandatory appointment requirements will require amendments to Pa.R.O.C.P. 14.2 and 14.4. First, a new petition averment is added to Pa.R.O.C.P. 14.2(a) for the petitioner to notify the court whether the alleged incapacitated person is represented by counsel and counsel's name and address if known. See proposed Pa.R.O.C.P. 14.2(a)(9). If counsel for the alleged incapacitated person is identified in the petition, proposed Pa.R.O.C.P. 14.2(f)(2)(iii) requires the petitioner to serve the petition on retained counsel identified in subdivision (a)(9).

Pa.R.O.C.P. 14.4 governs retention and appointment of counsel. Proposed Pa.R.O.C.P. 14.4(a) requires the petitioner to notify the court in writing as soon as the petitioner becomes aware of representation if not indicated in the petition due to a lack of knowledge at the time of filing. Currently, the petitioner is required to advise the court in writing at least seven days prior to the hearing that the alleged incapacitated person has not retained counsel. See Pa.R.O.C.P. 14.4. The Committee has been informed that many courts will wish to appoint counsel at the time the petition is filed if retained counsel has not been identified. On the other hand, there may be overlap between appointed and retained counsel if the alleged incapacitated person retains counsel upon or following receipt of the petition for adjudication and before the appointment of a guardian. The Committee anticipates that courts will navigate these timing issues as they arise.

Proposed Pa.R.O.C.P. 14.4(c) sets forth the new requirements for appointed counsel. Subdivision (c)(1) addresses the general requirement that the court shall appoint counsel to represent the alleged incapacitated person in any matter for which counsel has not been retained. To the extent the statute limits court-appointed counsel to the alleged incapacitated person, subdivision (c)(1) will eliminate any ambiguity as to whether counsel can be appointed for the petitioner.

Proposed Pa.R.O.C.P. 14.4(c)(2) addresses qualifications of appointed counsel. As previously discussed, appointed counsel is required to be "qualified by experience or training". 20 Pa.C.S. § 5511(a.1)(2) (effective June 11, 2024). The Committee believes the judge making the appointment is suited to ensure qualified representation of an alleged incapacitated person. That said, there may be an argument for establishing minimum standards for appointed counsel in guardianship matters. Currently, satisfaction of minimum qualifications is required for parent coordinators and counsel in capital cases. See Pa.R.Civ.P. 1915.11-1(b), Pa.R.Crim.P. 801. While the goal of statewide minimum standards for appointed counsel in guardianship matters is laudatory, the Committee has reservations insofar as such requirements could reduce

the number of attorneys willing to take such appointments, especially in smaller counties. The Committee specifically invites comments on whether appointed counsel in guardianship matters should meet certain minimum standards in experience or training, and what those minimum standards should be.

Proposed Pa.R.O.C.P. 14.4(c)(3) addresses the new statutory requirement that appointed counsel meet with the alleged incapacitated person “as soon as reasonably possible” after the appointment and file a certification with the court relaying the time and place the meeting occurred within five days of the meeting. *See* 20 Pa.C.S. § 5511(a.1)(3) (effective June 11, 2024).

With regard to new statutory provisions relating to the relationship between appointed counsel and an alleged incapacitated person, the Committee notes that counsel is already bound by the Pennsylvania Rules of Professional Conduct, including Pa.R.P.C. 1.14 (responsibilities of counsel to a client with diminished capacity). Thus, the Committee was not inclined to repeat these requirements in proposed Pa.R.O.C.P. 14.4 and, instead, added a cross-reference to § 5511(a.1)(3) and Pa.R.P.C. 1.14, pertaining to the conduct of counsel representing a client with diminished capacity, to the comment.

The Comment to proposed Pa.R.O.C.P. 14.4 was further revised to cross-reference proposed Pa.R.O.C.P. 14.7(b)(1)(v), pertaining to a requirement for the guardianship order to identify the scope of representation of court-appointed counsel in order to eliminate uncertainty and the need to file a withdrawal petition if scope is not defined at the commencement of representation. A reference to § 5511(a.1)(3), pertaining to the prohibition on appointed counsel serving as guardian *ad litem* was also added to the comment. Finally, references to an alleged incapacitated person unrepresented by counsel were eliminated from proposed Pa.R.O.C.P. 14.3, pertaining to alternative proof incapacity and expert reports.

#### *Certification of Guardians*

Act 61 adds a new certification requirement for individuals proposed as guardians prior to appointment to a third active guardianship. *See* 20 Pa.C.S. § 5511(f)(2). The Committee considered the list of appointees referenced in § 5511(f)(1), which included but was not limited to a “qualified individuals.” The Committee has interpreted § 5511(2) as applying only to individuals seeking guardianship of three or more incapacitated persons. It is noteworthy that the legislation does not define or reference “professional guardians,” but instead, applies to “an individual seeking guardianship of three or more incapacitated persons . . . prior to a third guardianship appointment.” 20 Pa.C.S. § 5511(f)(2).

The General Assembly directed the Court to “prescribe rules and forms necessary to effectuate the certification required under this paragraph, including rules regarding the expiration and renewal of certifications.” 20 Pa.C.S. § 5511(f)(2)(i). The certification must require, at a minimum, submission of education and employment history, submission of federal and state criminal history information, and passage of a certification exam administered by a national nonprofit guardianship certification organization. *See* 20 Pa.C.S. § 5511(f)(2)(ii)(B). The “national nonprofit guardianship certification organization” must provide a “comprehensive certification program for guardians, including supervising a national certification process, developing certification exam content and maintain-

ing a decertification process.” *Id.* At this time, the Center for Guardianship Compliance qualifies as a national certification organization as set forth in the statute. It is unknown to the Committee whether there are other organizations that would satisfy the requirements of § 5511(f)(2)(ii)(B) or if such other organization may be formed in the future.

Alternatively, the certification can be waived by the court upon a petition “demonstrating that a proposed guardian has such equivalent licenses or certifications as are necessary” to ensure the guardian is capable of performing the obligations of a guardian. 20 Pa.C.S. § 5511(f)(3). Notably, a law license is not an equivalent license or certification. *See id.*

*Proposed Rules Changes:* The Committee proposes amending Pa.R.O.C.P. 14.6, pertaining to selection of the guardian, to reflect the certification requirement for an individual seeking appointment as a guardian prior to the third active guardianship. *See* Pa.R.O.C.P. 14.6(c)(1)(i). The Committee located the certification requirement in Pa.R.O.C.P. 14.6 because that rule addresses preferences and eligibility to serve as a guardian.

Proposed Pa.R.O.C.P. 14.6(c)(2) addresses certification by a national organization and tracks the express language of § 5511(f)(2). The Committee also included a provision relating to the guardian’s continuing duties to maintain the certification in good standing, file an annual verification that the certification is in good standing, and notify the court of any negative actions against the certification within seven days of such action. *See* Pa.R.O.C.P. 14.6(c)(2)(ii).

The Committee considered developing requirements for a standalone certification but found it impractical at present given the effective date of Act 61. Moreover, the Committee was uncertain as to the availability of a certification exam administered by a national nonprofit guardianship certification organization for purposes other than pursuing certification through the organization. The Committee is aware of four states issuing guardianship certifications—Arizona, Florida, Texas, and Washington. For example, Washington has a Certified Professional Guardianship and Conservation Board, which is responsible for establishing the standards and criteria for the certification of professional guardians and conservators. *See* Wa.R.Gen. 23.

Act 61 permits waiver of the certification requirement upon a petition demonstrating that a proposed guardian has “such equivalent licenses or certifications as are necessary” to ensure the suitability of the proposed guardian. 20 Pa.C.S. § 5511(f)(3). The Committee added this requirement to proposed Pa.R.O.C.P. 14.6(c)(3)(i). The Committee also added a requirement that the equivalent licenses or certifications be relevant to the type of guardianship that is established. *Id.* Examples of relevant equivalencies are included in the Comment. Proposed Pa.R.O.C.P. 14.6(c)(3)(iii) provides that a law license is not an equivalent license or certification for waiver purposes. *Id.*

The certification requirements of new § 5511(f) will also require changes to the guardianship petition. First, the petition will need to contain averments intended to advise the court whether the proposed guardian is required to be certified. Proposed Pa.R.O.C.P. 14.2(b)(6) requires an averment as to whether the proposed guard-

ian is, was, or is seeking to be a guardian in any other matters, as well as the number of active guardianships. Similarly, proposed subdivision (b)(7) is an averment intended to determine how the proposed guardian will satisfy the certification requirement, if required. Current subdivisions (b)(4)—(5) relate to any completed guardianship training and certifications that the proposed guardian holds. See Pa.R.O.C.P. 14.2(b)(4)—(5). With respect to petition exhibits, the Committee proposes amending Pa.R.O.C.P. 14.2(c) to require attachment of proof of guardianship certification, certification by a court of competent jurisdiction, or a petition for waiver of the certification. See proposed Pa.R.O.C.P. 14.2(c)(5).

#### *Less Restrictive Alternatives*

Another new statutory requirement compels the court to consider less restrictive alternatives before appointing a guardian. “In all cases, the court shall consider and make specific findings of fact concerning: . . . (3) The need for guardianship services, . . . in light of the existence, if any, of less restrictive alternatives.” 20 Pa.C.S. § 5512.1 (effective June 11, 2024). See also *In re Peery*, 727 A.2d 539 (Pa. 1999) (holding a person does not require a guardian if there is no need for guardianship services). Currently, Pa.R.O.C.P. 14.2(a)(13) requires the petitioner to aver “steps taken to find a less restrictive alternative than a guardianship.” However, the statutory amendments require the petition to contain an averment alleging “specific facts demonstrating that less restrictive alternatives were considered or tried and why the alternatives are unavailable or insufficient.” 20 Pa.C.S. § 5511(e).

There is also a new requirement for the court to make specific findings of fact regarding less restrictive alternatives to guardianship, including supportive resources, as well as alternatives such as advance directives, living wills, health care representatives, powers of attorney, etc. See 20 Pa.C.S. § 5512.1(a)(3). The current rules do not have an analogous requirement.

Finally, there is a new requirement that an order denying a guardianship petition in whole or in part shall identify the less restrictive alternatives that will enable the alleged incapacitated person to manage their finances or attend to their physical health and safety. See 20 Pa.C.S. § 5512.1(a)(6)(iv). The statute indicates that the order “may assist the respondent and any supportive and substitute decision makers involved to effectuate the respondent’s decisions with third parties.” *Id.*

*Proposed Rules Changes:* A new averment was added to the guardianship petition to identify the less restrictive alternatives than a guardianship that were considered or tried and why the alternatives are unavailable or insufficient. See proposed Pa.R.O.C.P. 14.2(a)(14). This change is consistent with § 5511(e).

Next, the Committee proposes adding a new subdivision to Pa.R.O.C.P. 14.7 relating to the findings of fact by the court required by § 5512.1(a) relating to the finding of incapacity and consideration of less restrictive alternatives. See proposed Pa.R.O.C.P. 14.7(a). The Committee considered the extent to which the findings of fact would be available to the public. Case records in incapacity proceedings are not available to the public, except for the docket and any final decree adjudicating a person as incapacitated. See *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, § 9.0B,

204 Pa. Code § 213.81. The Committee believes there are varying viewpoints on the question of whether to incorporate this sensitive information in the final decree adjudicating incapacity. One view is that including information relating to less restrictive alternatives will assist a guardian or any supportive and substitute decision maker, e.g., health care representative, power of attorney, or representative payee, in their duties. Alternatively, there was a concern that inclusion of such information in a publicly available document could put an incapacitated person at risk of exploitation if the information if obtained by individuals with unscrupulous motives. The Committee specifically invites comments on this aspect of the proposal.

The Committee also proposes changes to Pa.R.O.C.P. 14.7 to address § 5512.1(a)(6)(iv), pertaining to an order denying a petition in whole or in part. Specifically, subdivision (e) would require an order denying a guardianship petition in whole or in part to identify the less restrictive alternatives that will enable the alleged incapacitated person to manage their finances or attend to their physical health and safety. See Pa.R.O.C.P. 14.7(e). The comment to the rule includes examples of less restrictive alternatives. See Pa.R.O.C.P. 14.7, cmt.

While drafting amendments to Pa.R.O.C.P. 14.7, the Committee incorporated proposed amendments relating to a separate issue it has been reviewing. The Committee was asked to consider whether the certification of guardianship of the estate in Pa.R.O.C.P. 14.7(c) should be amended to require the clerk of court to certify that the guardian is still serving at the time of issuance. The Committee understood the rationale for the request, but found that a certification by the clerk that the guardian is still serving would be a finding of fact and beyond the scope of the clerk’s authority. It was seen as preferable to have the clerk certify that no record of modification of the appointment order was on the docket at the time of the certification. A statement was added to the certification that “at the time of the certification, there is no record of modification of the appointment order on the docket.” See Pa.R.O.C.P. 14.7(d)(1). Similarly, the Committee found that the statement in the certification that the guardianship appointment was made by the court in full consideration of Chapter 55 of the PEF Code should be deleted insofar as the clerk has no factual basis to make this statement. *Id.*

The Committee also thought the certification of guardianship would benefit from a distinction between a plenary and limited guardianship of the estate. Proposed subdivision (d)(2) provide for a new limited guardianship certification. The Committee recommended cross-referencing the limited guardianship order in the certification to determine the extent of the limited authority rather than relying on the clerk to incorporate it in the certificate. See Pa.R.O.C.P. 14.7(d)(2).

#### *Scheduled Review Hearing*

Act 61 directs the court to schedule a review hearing in the incapacity and guardianship order if evidence presented at the hearing indicates that there may be a change in the person’s capacity. See 20 Pa.C.S. § 5512.2(a). The scheduled review hearing is to be held within one year from the date of the order establishing the guardianship. *Id.* The amendments also authorize any interested party to file a petition with the court to terminate or modify the guardianship at any time. See 20 Pa.C.S. § 5512.2(a.1). This is consistent with current Pa.R.O.C.P. 14.9(b).



*Proposed Rule Changes:* First, Pa.R.O.C.P. 14.7, pertaining to the order, is amended to require the scheduling of a review hearing within one year if evidence presented at the hearing indicates that the person’s capacity may change. See Pa.R.O.C.P. 14.7(b)(3). Specifically, the court shall include the date for a review hearing in the order. See *id.*

Second, Pa.R.O.C.P. 14.9 is restructured to address petitions for review hearings and scheduled review hearings. Subdivision (a) will reflect that the review hearing can be initiated by petition, ordered by the court upon its own initiative, or in the order adjudicating incapacity and appointing a guardian. Subdivision (b) provides the procedure for filing a petition for a review hearing. Proposed subdivision (c) is new and relates to notice of a scheduled review hearing, whether scheduled by the court on its own initiative or in the guardianship order. The court must give notice of a scheduled review hearing to the incapacitated person and those entitled to notice of a petition filing pursuant to Pa.R.O.C.P. 14.2(f)(2) at least 20 days prior to the hearing date. See proposed Pa.R.O.C.P. 14.9(c)(1). Finally, service of the hearing notice shall be served in compliance with Pa.R.O.C.P. 4.3.

\* \* \* \* \*

The Committee invites all comments, concerns, and suggestions regarding this proposal.

[Pa.B. Doc. No. 24-422. Filed for public inspection March 29, 2024, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**  
**POTTER COUNTY**  
**Adoption of Local Rules Regarding Custody of Exhibits in Court Proceedings; AD 3-2024**

**Order of Court**

*And Now*, this 15 day of March 2024, effective April 1, 2024 or thirty (30) days after publication in the *Pennsylvania Bulletin*, in accordance with Pa.R.J.A. 5101—5105, which address Exhibit Retention and were issued by an Order of the Pennsylvania Supreme Court (to take effect on April 1, 2024), the Local Rules of the Potter County Court of Common Pleas are hereby amended to include the new local rules 5102 and 5103 which are set forth as follows.

The Potter County District Court Administrator is Ordered and Directed to do the following:

- 1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
- 2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- 3. Publish these Rules on the Potter County Court website at: pottercountypa.net.
- 4. Incorporation of the local rule into the set of Potter County local rules within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

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

*By the Court*

STEPHEN P. B. MINOR,  
*President Judge*

**CHAPTER II. CUSTODY OF EXHIBITS.**

**Rule 5102. General Provisions.**

Local Rules 5102 and 5103 are issued to align Potter County Court of Common Pleas practice and procedure with Pa.R.J.A. 5101—5105. Reference to Pa.R.J.A. 5102—5105 shall be made when interpreting Potter County Local Rules 5102 and 5103 and when determining the procedure and practice for Exhibit Retention in Potter County.

The court recorder/monitor or court reporter for all, or a portion, of a court proceeding 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.

(a) If only one custodian is involved with a proceeding, they shall file with the appropriate records office (Prothonotary/Clerk of Courts or Orphan’s Court) all submitted exhibits, with the exception of non-documentary exhibits, and index of exhibits within 5 business days of the conclusion of the proceeding.

(b) The proponent (party that moved exhibit into evidence) shall assure that document evidence is in a format, including size and material, that is compatible with being filed and easily stored by the records office. If, due to the nature of the proceeding and the requirement that an oversized or undersized document exhibit be entered into evidence that 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 document evidence, including that the proponent retain custody in conformance with Rule 5103 for physical evidence.

(c) 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 submitted exhibits and index of exhibits. The custodian at the conclusion of the proceeding shall file with the appropriate records office all submitted exhibits and index of 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 non-documentary evidence (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. The court may issue an order in exceptional circumstances for the court to retain said exhibits.

(b) These non-documentary exhibits which are not retained must be photographed by the proponent, converted to a letter sized document (8 1/2 × 11), and appropriately marked and produced during the court proceeding for inclusion in the documentary record. Photographs must be in color unless otherwise directed by the Court.

(c) Digital media such as CDs, thumb drives, etc. shall also be retained by the records office.

(d) 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.

(e) Non-documentary exhibits such as, but not limited to, knives, firearms, drugs, car parts, etc., shall be held by the proponent until an appropriate order such as: Order for Forfeiture; Order for Destruction; Order for Return, etc. is obtained. When addressing such a request the court will consider the nature of the action, the status of the proceedings including whether there is an active appeal or the potential for future litigation and the position of the opposing party.

(f) 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.

(g) 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 or Confidential Information Form so that the document can be properly sealed by the record office.

(h) Document evidence shall be retained by the records office in accordance with existing authority for record retention.

*Exceptions:*

Excluded from the requirements of these Exhibit Retention Local Rules are record hearings that may be appealed de novo to a court of common pleas or upon which exceptions or objections can be filed to a court of common pleas from the provisions of this chapter, such as: proceedings before hearing officers in divorce, custody, support, delinquency, and dependency matters. Also excluded are hearings before magisterial district courts.

[Pa.B. Doc. No. 24-423. Filed for public inspection March 29, 2024, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### WASHINGTON COUNTY

#### Adoption of Local Rules of Judicial Administration L-5101—L-5105; No. 2024-1

##### Administrative Order

And Now, this 8th day of March, 2024, in accordance with the directives contained in Pennsylvania Rules of Judicial Administration 5101, et seq., and in order to effectuate the purposes thereof, it is hereby *Ordered, Adjudged, and Decreed* that Washington County Local Rules of Judicial Administration L-5101—L-5105 are adopted as follows:

##### **Rule L-5101. Custody of Exhibits. Exclusion of Certain Proceedings.**

For purposes of the local rules governing custody of exhibits, record hearings that may be appealed de novo to the court of common pleas or upon which exceptions or objections may be filed, including, but not limited to, proceedings before conference officers or hearing officers in custody, delinquency, dependency, divorce, and support matters are excluded from compliance.

##### **Rule L-5102. General Provisions.**

(a) During all court proceedings a member of court staff shall be designated as the custodian. The custodian is responsible for securing and maintaining documentary and photographic exhibits throughout the court proceeding.

(1) The custodian should not be a court reporter but another member of court staff. In proceedings before a common pleas judge, the custodian shall be a member of the judge's chambers staff.

(2) Non-documentary exhibits shall be secured and maintained by the proponent, unless otherwise ordered by the Court.

(b) The member of court staff designated as the custodian shall maintain create an index of all exhibits offered as evidence. The index shall set forth the name and docket number of the case, the number or letter of the exhibit, the proposing party, whether the exhibit was admitted or denied, and a description of the exhibit.

(1) A copy of the index shall be filed with the records office. The records office shall docket and accept the index for filing. The docket description shall be in a manner as directed by the Court, or its designee, and must include a location describing where the exhibit(s) are being stored. Long-term storage of exhibits shall be in a location under the control and supervision of the Court.

(2) Following the conclusion of court proceedings, the proponent shall maintain non-documentary exhibits as set forth in Rule L-5103, unless otherwise ordered by the Court.

(3) If exhibits are transferred from the possession of the Court to a proponent, the Court shall enter an order reflecting the transfer. The order shall be docketed at the number for the applicable case.

(c) A proponent that is responsible for possession and maintenance of an exhibit shall secure such exhibit for a minimum of the following time periods:

(1) *Civil matters.* A period of thirty (30) days after the conclusion of the case and the expiration of the appeal period; or final disposition of an appeal if one is taken.

(2) *Criminal matters:*

(i) *Homicides.* A period of seventy-five (75) years.

(ii) *Summary cases.* A period of five (5) years.

(iii) *All other cases.* A period of twenty (20) years.

(3) *Juvenile matters.* Until the juvenile reaches age twenty-five (25) or ten (10) years after the last action on the case, whichever is later.

(4) *Orphans' Court matters.* Not less than the timeframes set forth in the County Records Manual pertaining to the "Office of the Register of Wills and Clerk of the Orphans' Court."

##### **Rule L-5103. Special Provisions.**

(a) Documentary exhibits may not be submitted in a size larger than 8.5 by 11 inches. Any document larger than those dimensions shall be considered a non-documentary exhibit.

(b) Any photograph entered into the record may not be in a size larger than 8.5 by 11 inches. An oversized photograph may be used for demonstrative purposes if permitted by the Court.

(c) If a proponent offers into evidence a non-documentary exhibit, the proponent shall provide a photograph of the exhibit that does not exceed a size of 8.5 by 11 inches.

(d) If a proponent intends to offer a weapon, contraband, or hazardous materials into evidence, the proponent shall provide reasonable notice to the Court prior to the court proceeding.

(e) An exhibit in a digital media format may only be offered with prior permission of the Court. Nothing in this rule shall prohibit the Court from ordering that a proponent provides an exhibit, or a copy or photograph of same, in a digital media format in lieu of a physical exhibit. The use of any digital media must be in a format that is acceptable to the Court. A proponent should never assume that their chosen technology will be acceptable or its use permitted; arrangements for the use of digital media should be made well in advance of the court proceeding.

(f) Duplicates of any exhibit may be entered into the record with permission of the Court. The duplicate must be clear, legible, and in a format approved by the Court.

**Rule L-5104. Case Management System.**

(a) The Court may require the use of C-Track case management system for the submission and/or storage of documentary and photographic exhibits and digital media.

(b) The use of the C-Track case management system by a record office for the submission and/or storage of such exhibits and media shall be in a form and manner directed by the Court, or its designee.

(c) Nothing shall prohibit the Court, or its staff, from filing the index of exhibits and/or the exhibits directly into the C-Track case management system.

**Rule L-5105. Confidentiality. Exhibits Under Seal.**

(a) Exhibits that contain confidential information or are a confidential document as defined in the Case Records Public Access Policy of the Unified Judicial System shall be affixed with the appropriate form required by the Policy.

(b) Exhibits that contain confidential information or are filed under seal shall not be accessible by the public.

(c) To the extent any confidential and/or sealed exhibit is filed within the C-Track case management system, the records office shall mark the docket and maintain the exhibit in a manner prescribed by the Court, or its designee.

The aforementioned local rules of judicial administration shall be effective and enforceable following publication in the *Pennsylvania Bulletin* pursuant to Pa.R.J.A. 103(c)(5). The District Court Administrator is directed to:

1. File copies of this Administrative Order and the adopted local rules with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

2. File one (1) electronic copy of this Administrative Order and the adopted local rules with the Administrative Office of Pennsylvania Courts;

3. Arrange for the publication of the local rules on the website for the Twenty-seventh Judicial District, [www.washingtoncourts.us](http://www.washingtoncourts.us), within thirty (30) days of the effective date; and

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

*By the Court*

GARY GILMAN,  
*President Judge*

[Pa.B. Doc. No. 24-424. Filed for public inspection March 29, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WESTMORELAND COUNTY

#### Custody of Exhibits; No. 3 of 2024

##### Administrative Order of Court

*And Now*, this 25th day of March 2024, *It Is Hereby Ordered* that Westmoreland County Rule of Judicial Administration WJ5102 is hereby adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*. The order of March 18, 2024 has been amended to correct Civil Procedure to Judicial Administration.

*By the Court*

CHRISTOPHER A. FELICIANI,  
*President Judge*

#### Westmoreland County Rule of Judicial Administration WJ5102.

##### *Custody of Exhibits*

###### (A) *During Court Proceedings:*

(1) Prior to moving for admission of the exhibit, the proponent of the exhibit shall be the custodian of the exhibit and shall secure and maintain the exhibit during the court proceeding, including breaks and recesses.

(2) At the time of the proposed admission of the exhibits, the Court Assistant-Monitor shall be the custodian of the exhibits. The Court Assistant-Monitor shall secure and maintain the exhibits during the court proceedings, including breaks and recesses, unless otherwise provided in Pa.R.J.A. 5103(c)-(d).

###### (B) *After Court Proceedings:*

###### (1) Court Assistant-Monitor shall:

a. retain custody of all exhibits admitted in the court proceeding and accepted by the Court during the proceeding;

b. return any non-documentary exhibits to the proponent unless the Court orders otherwise;

c. file all exhibits with the appropriate filing office (Clerk of Courts for Criminal Court; Prothonotary for Civil Court, Register of Wills/Clerk of the Orphans' Court for Orphans' Court) within five (5) business days of the conclusion of the court proceeding unless otherwise directed by the Court; and

d. secure and maintain all other non-documentary exhibits as directed by the Court or agreed to by the parties.

(2) The Court Assistant-Monitor filing the exhibits with the appropriate filing office shall include a numbered list of the exhibits which (a) identifies the proponent of the exhibit, (b) whether or not the exhibit was admitted, and (c) a description or identification of the exhibit.



(3) If the Court Assistant-Monitor does not file the exhibits as required by subdivision (B)(1)(b), the proponent may seek appropriate relief with the Court.

(C) *Special Provisions:*

(1) Any proponent of an oversized documentary exhibit shall ensure that a reduced size copy of the exhibit is entered into evidence. See Pa.R.J.A. 5103(a).

(2) Any proponent of an oversized photographic exhibit shall ensure that a reduced size copy of the photograph is entered into evidence. See Pa.R.J.A. 5103(b).

(3) Any proponent of a non-documentary exhibit shall ensure that a photograph, no larger than 8 1/2 × 11 inches, of the exhibit be entered into the record in lieu of the non-documentary exhibit. If the non-documentary exhibit is physically impractical for the Court Assistant-Monitor to maintain, the proponent of the exhibit may be directed to maintain custody of the exhibit and to secure the exhibit during the court proceeding. See Pa.R.J.A. 5103(c).

(4) Weapons, cash, items of value, contraband, and hazardous materials shall remain in the custody of the proponent who shall secure the exhibit during the court proceeding as well as during all breaks and recesses. See Pa.R.J.A. 5103(d).

(5) The proponent of digital exhibits shall ensure that the exhibit is in a format acceptable to the Court.

(d) *Retention of Exhibits:* For retention of civil exhibits, please refer to WJ507A.

(e) This Rule shall not apply to proceedings in the magisterial district courts or proceedings before hearing officers in divorce, custody, support, delinquency, and dependency matters.

[Pa.B. Doc. No. 24-425. Filed for public inspection March 29, 2024, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WESTMORELAND COUNTY

#### Failure to Pay Fines and Costs Related to Truancy; No. 3 of 2024

##### Administrative Order of Court

*And Now*, this 12th day of March 2024, *It Is Hereby Ordered* that Westmoreland County Rule of Juvenile Procedure WJUV195 is hereby adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

*By the Court*

CHRISTOPHER A. FELICIANI,  
*President Judge*

#### Rule WJUV195. Failure to Pay Fines and Costs Related to Truancy.

The Westmoreland County Juvenile Probation Department shall receive allegations that a child who fails to satisfy a fine or costs imposed as a result of truancy proceedings is dependent for the purpose of considering the commencement of proceedings under 42 Pa.C.S. Chapter 63 (relating to dependency and delinquency of children).

Adopted \_\_\_\_\_ 2024, effective \_\_\_\_\_, 2024. Rule WJUV195 is entered pursuant to Pennsylvania Rule of Juvenile Procedure 195 (relating to powers and duties of juvenile probation officers, and pursuant to 24 P.S. Section 13-1333.3(f)(2).

[Pa.B. Doc. No. 24-426. Filed for public inspection March 29, 2024, 9:00 a.m.]

# PROPOSED RULEMAKING

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 75 ]

### Distributed Energy Resources Participation in Wholesale Markets; Docket No. L-2023-3044115; Fiscal Note # 57-346; Advance Notice of Pro- posed Rulemaking

On February 22, 2024, the Pennsylvania Public Utility Commission (Commission) entered and released for public comment an Advance Notice of Proposed Rulemaking (ANOPR) to investigate the Commission's role in the implementation of Federal Energy Regulatory Commission (FERC) Order 2222<sup>1</sup> and to determine whether any amendments or additions are needed to align existing Commission regulations or policy statements with Order 2222. With this ANOPR, the Commission seeks comments from interested stakeholders, including members of the regulated industry, statutory advocates, the public, and any other interested parties regarding the topics set forth in the ANOPR. The ANOPR is publicly available on the Commission's web site at <https://www.puc.pa.gov/pcdocs/1817408.pdf>.<sup>2</sup>

Interested parties are invited to file comments to the ANOPR within 60 days of the date of publication of this notice in the *Pennsylvania Bulletin*. Comments shall reference Docket No. L-2023-3044115 and can be filed electronically through the Commission's eFiling system or by mail addressed to the Pennsylvania Public Utility Commission, Attention: Secretary, P.O. Box 3265, Harrisburg, PA 17105-3265. Questions regarding the ANOPR are to be directed to Christopher Van de Verg, Law Bureau, (717) 783-3459, [cvandeverg@pa.gov](mailto:cvandeverg@pa.gov).

ROSEMARY CHIAVETTA,  
*Secretary*

<sup>1</sup> Participation of Distributed Energy Res. Aggregations in Mkts. Operated by Reg'l Transmission Orgs. & Indep. Sys. Operators, Order No. 2222, 172 FERC ¶ 61,247 (2020), order on reh'g, Order No. 2222-A, 174 FERC ¶ 61,197, order on reh'g, Order No. 2222-B, 175 FERC ¶ 61,227 (2021).

<sup>2</sup> The Joint Statement of Chairperson Stephen M. DeFrank and Vice Chairperson Kimberly Barrow can be found at <https://www.puc.pa.gov/pcdocs/1817357.pdf>.

### JOINT STATEMENT OF CHAIRPERSON STEPHEN M. DeFRANK AND VICE CHAIRPERSON KIMBERLY BARROW

Today marks an important step in the process of allowing flexible, distributed resources to participate in the reliability of the electric system through markets at PJM. Distributed resources provide the possibility for those who were traditionally consumers to play an active role in ensuring electric reliability and resiliency for themselves and their neighbors, and often in a less expensive way than traditional large generation that requires delivery infrastructure.

Compliance with and implementation of Federal Energy Regulatory Commission (FERC) Order 2222 is no small task. Numerous parties must take action to advance the goal of providing distributed energy resource aggregators access to wholesale markets; including regional transmission organizations, electric distribution companies, and state regulators. We would like to thank our Law Bureau and Bureau of Technical Utility Services who developed an excellent and thorough beginning to our investigation of potential regulatory changes needed to support distributed energy resource participation.

In addition to the questions we ask in this Advance Notice of Proposed Rulemaking, we would like to ask commenters to include any information about how similar changes may be implemented in other states. While alignment of rules and policies may not be possible in all circumstances, avoiding a patchwork quilt of regulation should also help to optimize deployment.

Date: February 22, 2024

STEPHEN M. DeFRANK,  
*Chairperson*  
KIMBERLY BARROW,  
*Vice Chairperson*

**Fiscal Note:** 57-346. No fiscal impact; recommends adoption.

[Pa.B. Doc. No. 24-427. Filed for public inspection March 29, 2024, 9:00 a.m.]

## GAME COMMISSION

[ 58 PA. CODE CH. 139 ]

### Seasons and Bag Limits; Correction

The Game Commission discovered an error in the proposed rulemaking for § 139.4 (relating to seasons and bag limits for the license year) published at 54 Pa.B. 1321 (March 16, 2024). One of the dates for Turkey, Spring, Bearded Bird Only was incorrectly published. The date is corrected in Annex A with ellipses referring to the remainder of the chart. The remainder of the proposed rulemaking was accurate as published.

#### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 139. SEASONS AND BAG LIMITS

#### § 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

\* \* \* \* \*

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> WMUs 1A, 2G, 3A, 4A, 4B and 4D WMUs 1B, 3D, 4C and 4E WMUs 2A, 2F, 3B and 3C  WMUs 2B, 2C, 2D and 2E  WMUs 5A and 5B WMUs 5C and 5D	Nov. 2 Nov. 2 Nov. 2  Nov. 27 Nov. 2  Nov. 27 Nov. 2	   and   and	Nov. 16 Nov. 9 Nov. 16  Nov. 29 Nov. 22  Nov. 29 Nov. 5	1	1
	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	May 3, 2025  May 19, 2025	  and	May 17, 2025  May 31, 2025	1	2
				May be hunted 1/2 hour before sunrise to 12 noon	
				May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	

\* \* \* \* \*

[Pa.B. Doc. No. 24-428. Filed for public inspection March 29, 2024, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 52—PUBLIC UTILITIES

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 69 ]

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

Public Meeting held  
February 1, 2024

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

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

#### Final Policy Statement and Order

*By the Commission:*

On August 3, 2023, the Commission (PUC or Commission) entered a Proposed Policy Statement and Order (PPSO) wherein the Commission proposed to revise its Diversity at Major Jurisdictional Utility Companies—Statement of Policy at 52 Pa. Code §§ 69.801—69.809 (Diversity Policy Statement). The PPSO was published in the *Pennsylvania Bulletin* at 53 Pa.B. 6047 (9/30/2023). The comment period closed on November 14, 2023. This Final Policy Statement and Order (FPSO) makes the Commission's intent clear that the Diversity Policy Statement still provides guidance to major telecommunications utilities. Upon publication in the *Pennsylvania Bulletin* of this FPSO, the Diversity Policy Statement will fully comport with the Diversity Reporting regulation at 52 Pa. Code §§ 51.11—51.13 (relating to general, definitions, diversity reporting requirement) (Diversity Reporting Regulation).

#### *Summary of the Proposed Policy Statement*

In the PPSO, the Commission acknowledged that, since codification of the Commission's Diversity Regulation which requires certain major jurisdictional public utilities to file reports on their diversity efforts, it is necessary to revise the Diversity Policy Statement. Now that major jurisdictional utilities are required to report on their diversity efforts, reporting diversity efforts is no longer dependent on those major jurisdictional utilities voluntarily complying with a recommendation in a policy statement.

However, while the Commission was constrained to exempt major telecommunications utilities from the definition of a "major jurisdictional utility" as that term is used in the Diversity Reporting Regulation because of statutory preclusion at 66 Pa.C.S. § 3015(f) relating to alternative forms of regulation, the Commission still intended to encourage major telecommunications utilities to report their diversity efforts. As such, we expressly addressed major telecommunications utilities in the Proposed Diversity Policy Statement to make it clear that major telecommunications utilities are still encouraged to comply with the diversity objectives in the Policy Statement and that they are encouraged to report their diversity efforts consistent with the Policy Statement.

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

In the PPSO, we noted that since the promulgation of Diversity Reporting Regulation, references to "major jurisdictional utility" in the Diversity Policy Statement could be read to not include major telecommunications utilities. As this was never the intent, the Diversity PPSO proposed changes to expressly include major telecommunications utilities to make it clear that major telecommunications utilities are still included in the Diversity Policy Statement.

#### *Discussion*

The Commission received and reviewed the comments filed in this proceeding. Based upon those comments, the Commission has determined that it will proceed with the proposal to revise the Diversity Policy Statement, with modifications. The Commission received comments from Energy Association of Pennsylvania and Verizon that noted their respective general support of the proposed revisions to the Diversity Policy Statement without any revisions thereto. The Commission also received comments from the Office of Consumer Advocate (OCA) that has suggested changes which we address herein.

#### *Section 69.801 General*

The OCA notes that the Commission did not include the term "employment practices" in Section 69.801 (relating to general). In Section 69.801, the OCA posits the following change:

The Commission encourages major jurisdictional utilities and major telecommunications utilities operating in this Commonwealth to incorporate diversity in their business strategy in connection with their employment practices and the procurement of goods and services. Major telecommunications utilities are further encouraged to file diversity reports in the same format as major jurisdictional utilities are directed in 52 Pa. Code §§ 51.11—51.13 (relating to diversity) (Chapter 51).

#### *OCA Comments at 3.*

The Commission will not adopt this recommendation because the Commission is not permitted to make managerial decisions such as hiring decisions with respect to the public utilities within its jurisdiction. The Pennsylvania Supreme Court and the Pennsylvania Commonwealth Court have consistently recognized that public utilities make managerial decisions that are not subject to Commission regulation. See *Pa. Pub. Util. Comm'n v. Philadelphia Elec. Co.*, 561 A.2d 1224, 1226-27 (Pa. 1989) ("Recognizing the Commission's duty to the public and a utility's right of self-management, our courts adopted the further proposition that it is not within the province of the Commission to interfere with the management of a utility unless an abuse of discretion or arbitrary action by the utility has been shown.") and *Pickford v. Pa. Pub. Util. Comm'n*, 4 A.3d 707 (Pa. Cmwlth. 2010).



The OCA asserts that the Commission makes a recommendation for employment practices in Section 69.803(1)(4) (guidelines for diversity development) and Section 69.809(a) (filings). However, these sections do not encourage employment practices per se. Section 69.803, in general, encourages diversity programs that are recommendations to public utilities to aid in developing and maintaining a diverse workforce. It is not the Commission's intent to interfere with public utility managerial decisions. With respect to Section 69.809(a), this section simply encourages reporting of the public utility's diversity program, not the implementation of a diversity program.<sup>1</sup> Employment practices are an integral part of a public utility's internal management, and it is not the intent of this Policy Statement to interfere with public utility employment practices. As such, it is not appropriate for the Commission to make management recommendations such as employment practices with respect to the public utilities it regulates.

*Resolution:* Accordingly, we have adopted the changes that we proposed in the PPSO to Section 69.801 without any further changes.

*Proposed Section 69.802 Definitions for Reporting Employee Statistics; Final Section 69.802 Definitions*

The terms "control" and "operate" are presently in Section 69.802a (relating to definitions for reporting vendor statistics), which was proposed for deletion in its entirety. The PPSO proposed to incorporate the terms in Section 69.802(a) (relating to definitions for reporting employee statistics). The terms are not, however, used in the final Diversity Policy Statement. The OCA recommends that the Commission remove the terms "control" and "operate" from the final Section 69.802(a) since the terms will not be used in the final Diversity Policy Statement.

The Commission acknowledges that the terms "control" and "operate" are not used in their singular form with respect to the Diversity Reporting Regulation. While "control" is used in its passive form in the definitions of MBE and WBE in the Diversity Reporting Regulation, the word "controlled" is modified with the phrase "whose management and daily business operations are controlled." 52 Pa. Code § 51.12 (relating to definitions). Further, we note that "control" is not defined in the Diversity Reporting Regulation. It is impermissible for a definition in a policy statement to define a term in a regulation. As such, we agree with the OCA that the term "control" should not be defined, and it will be removed from Section 69.802(a) in the final Diversity Policy Statement.

We also agree with the OCA that the term "operation" should be removed from Section 69.802 as well. Again, it is impermissible for a policy statement to define terms used in a regulation. Further, while the term "operation" is used in the definitions of Minority-Owned Business Enterprise (MBE) and Women-Owned Business Enterprise (WBE) in the Diversity Reporting Regulation, respectively, the term "operation" is given context with the words "management and daily business" preceding "operation." See 52 Pa. Code § 51.12(c) (relating to definitions and the definitions for MBE—Minority-owned business enterprise and WBE—Women-owned business enterprise). As such, we agree with the OCA that "operate" should not be a defined term in Section 69.802, and it has been removed from the final Diversity Policy Statement.

*Resolution:* The terms "control" and "operate" are removed from Section 69.802.

*Proposed Section 69.802a Definitions for Reporting Vendor Statistics*

*Resolution:* As explained in the PPSO, this section is removed in its entirety from the final Diversity Policy Statement and the section number is reserved.

*Sections 69.803—69.809*

*Resolution:* These sections are adopted as explained in the PPSO except for minor edits, as discussed infra.

*Housekeeping*

Upon further review of the Diversity Policy Statement, the Commission recognized that the use of the term "major jurisdictional company" was still in use in the title as well as some areas in the Diversity Policy Statement itself. The Commission has revised these references so that they accurately reflect the terminology we have adopted throughout.

*Resolution:* The term "major jurisdictional company" is removed from the Policy Statement title, and it is replaced with "Utilities And Major Telecommunications Utilities." The term "major jurisdictional utility companies" is also replaced with "major jurisdictional utilities" in Sections 69.802 and 69.809.

*Conclusion*

Accordingly, pursuant to 66 Pa.C.S. §§ 501, 505, 506, and 512, we have adopted as final, the revisions to Sections 69.801—69.809 as set forth in Annex A, attached hereto. We note that any issue, comment, or reply comment requesting a further change to the Diversity Policy Statement or objecting to a possible change, but which we may not have specifically delineated herein, shall be deemed to have been duly considered and denied at this time without further discussion. The Commission is not required to consider expressly or at length each contention or argument raised by the parties. *Consolidated Rail Corp. v. Pa. Pub. Util. Comm'n*, 625 A.2d 741 (Pa. Cmwlth. 1993); see also, generally, *U. of PA v. Pa. Pub. Util. Comm'n*, 485 A.2d 1217 (Pa. Cmwlth. 1984); *Therefore*,

*It Is Ordered That:*

1. The Commission adopt the final Policy Statement as set forth in Annex A to this Final Policy Statement and Order.
2. The Law Bureau will deposit this Order and Annex A with the Office of the Budget for fiscal review.
3. Upon receipt of the fiscal note, the Law Bureau will deposit this Order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
4. This final Policy Statement shall become effective upon publication in the *Pennsylvania Bulletin*.
5. This Order and Annex A be posted on the Commission's website. That the contact persons for this matter are Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, 717-787-5558, jcardinale@pa.gov; and Rhonda L. Daviston, Assistant Counsel, Law Bureau, 717-787-6166, rdaviston@pa.gov.

ROSEMARY CHIAVETTA,  
Secretary

ORDER ADOPTED: February 1, 2024

ORDER ENTERED: February 1, 2024

<sup>1</sup> This presumes that the reporting public utility has a diversity program. If one does not exist, then the reporting public utility would not have such a program to report.

**STATEMENT OF COMMISSIONER  
KATHRYN L. ZERFUSS**

Before the Commission today are the final amendments to our Diversity Policy Statement, 52 Pa. Code §§ 69.801—69.809. I would like to thank the interested parties that filed comments and letters concerning these amendments as well as our Law Bureau for the work involved in finalizing these amendments. These amendments ensure that the Policy Statement is consistent with our recent Diversity Reporting Regulations, 52 Pa. Code §§ 51.11—51.13.<sup>2</sup>

As you may know, the Diversity Policy Statement retains important provisions that recommend major jurisdictional electric, natural gas, water and wastewater utilities, and major telecommunications utilities incorporate diversity into their business strategies in relation to their employment practices and the procurement of goods and services. These Diversity Policy Statement provisions, coupled with our Diversity Reporting Regulations, provide this Commission with valuable insight into the efforts utilities are making to attract the labor force, including the labor force generated through contracts and subcontracts, that is essential to providing safe, reasonable, efficient, and reliable service.

I would like to reiterate previous comments I have made in this proceeding that emphasize how utilities' diversity programs impact and strengthen their relationships with the customers that live and work in their communities and, ultimately, impact the way customers are served. I, again, commend the utilities for filing their first annual diversity reports last year, and I encourage them to continue with their diversity efforts and look forward to receiving their reports this year.

The Commonwealth has made some indelible marks by creating programs and opportunities to further develop a diverse workforce in Pennsylvania, such as the creation of the Commonwealth Workforce Transformation Program<sup>3</sup> and the Governor's Executive Order 2023-18.<sup>4</sup> I appreciate the Commonwealth's recent diversity and workforce equity actions, and I am excited for the Commission to continue engaging in actions that grow our diverse workforce here, as well as our accompanying workforce development efforts. I have been engaging in conversations with the Commonwealth's Chief Diversity Officer to see how this Commission can ensure that we are moving the needle to attract diversity of thought and diversity of perspective and to celebrate and support peoples' differences. It is critical for us to be self-aware and mindful of our actions so that we can be an employer of choice and attract and maintain a strong workforce to ensure that Pennsylvania residents and businesses are receiving safe, reasonable, efficient, and reliable utility service.

*Date:* February 1, 2024

KATHRYN L. ZERFUSS,  
*Commissioner*

<sup>2</sup> On April 14, 2022, the Commission voted to adopt regulations requiring regular reporting on diversity programs and efforts by major jurisdictional utilities providing electric, natural gas, water, and wastewater services. The Diversity Reporting Regulations were enacted upon publication in the *Pennsylvania Bulletin*, at 52 Pa.B. 5934, on September 17, 2022.

<sup>3</sup> The Commonwealth Workforce Transformation Program aims to assist Pennsylvania in growing its diverse workforce by using the federal investments of the federal Infrastructure Investment and Jobs Act of 2021, Pub.L. 117-169 (IIJA), and the federal Inflation Reduction Act of 2022, Pub.L. 117-169 (IRA), to create "good jobs with family-sustaining wages and equitable pathways to these good jobs for workers from all communities." Executive Order 2023-17.

<sup>4</sup> Executive Order 2023-18 opens up new opportunities for small businesses and small diverse businesses to compete for state contracts by making the state procurement process more accessible and taking proactive steps and outreach to help these businesses grow and succeed.

**Fiscal Note:** Fiscal Note 57-343 remains valid for the final adoption of the subject regulations.

*(Editor's Note: The Pennsylvania Code is amended by amending the statement of policy in 52 Pa. Code §§ 69.801—69.809 to read as set forth in Annex A.)*

**Annex A**

**TITLE 52. PUBLIC UTILITIES**

**PART I. PUBLIC UTILITY COMMISSION**

**Subpart C. FIXED SERVICE UTILITIES**

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

**DIVERSITY AT MAJOR JURISDICTIONAL  
UTILITIES AND MAJOR TELECOMMUNICATIONS  
UTILITIES—STATEMENT OF POLICY**

**§ 69.801. General.**

From a business perspective, diversity should be associated with a public utility's business objectives and strategies. Diversity is an economic reality that public utilities should include in their corporate strategies now and in the future. The Commission encourages major jurisdictional utilities and major telecommunications utilities operating in this Commonwealth to incorporate diversity in their business strategy in connection with the procurement of goods and services. Major telecommunications utilities are further encouraged to file diversity reports in the same format as major jurisdictional utilities are directed in 52 Pa. Code §§ 51.11—51.13 (relating to diversity).

**§ 69.802. Definitions.**

(a) The following words and terms, when used in §§ 69.801—69.809, have the following meanings:

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

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

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

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

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

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

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

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



*Asian (not Hispanic or Latino)*

*Black or African American (not Hispanic or Latino)*

*Diversity*

*Exempt procurement*

*Hispanic or Latino*

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

*Major jurisdictional utility*

*MBE—Minority-owned business enterprise*

*Minority*

*Native American or Alaska Native (not Hispanic or Latino)*

*Native Hawaiian or Pacific Islander (not Hispanic or Latino)*

*Person with disabilities*

*Two or more races (not Hispanic or Latino)*

*Veteran*

*WBE—Women-owned business enterprise*

*White (not Hispanic or Latino)*

§ **69.802a. [Reserved].**

§ **69.803. Guidelines for diversity development.**

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

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

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

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

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

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

§ **69.804. Contracting recommendations.**

The Commission recommends that major jurisdictional utilities and major telecommunications utilities strive to take maximum efforts to provide that minority/women/persons with disabilities/LGBTQ/veteran-owned businesses have an equal opportunity to compete for the purchase of equipment, supplies, services, fuels, materials, construction, professional services, advertising, and the like. The Commission encourages each major jurisdictional utility and each major telecommunications utility to develop a diversity program which is designed to provide that a fair proportion of products and services contracts are offered to minority/women/persons with

disabilities/LGBTQ/veteran-owned businesses. It is recommended that each major jurisdictional utility and each major telecommunications utility adopt the general guidelines in §§ 69.805—69.808 in the development or enhancement of their diversity program relative to contracting for goods and services.

§ **69.805. Program development.**

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

§ **69.806. Minimum improvement levels.**

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

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

(i) Their total purchasing or contracting projections, or both, including fees to financial (for example, financial institutions, and the like), advertising, legal and professional services.

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

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

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

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

(3) Each major jurisdictional utility or each major telecommunications utility may exclude a specific product or service when it is clearly evident the minority/women/persons with disabilities/LGBTQ/veteran-owned businesses do not provide a specific product or service, or that exempt procurement is the only available procurement method for obtaining that specific product or service. Each major jurisdictional utility and each major telecommunications utility should demonstrate the unavailability of minority/women/persons with disabilities/LGBTQ/veteran-owned businesses capable of supplying these products and services on a case-by-case basis. Because

there may in the future be minority/women/persons with disabilities/LGBTQ/veteran-owned businesses capable of supplying products or services currently being supplied by an exempt procurement provider, the major jurisdictional utility or the major telecommunications utility should explain in its annual report the continued use of any exempt procurement provider.

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

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

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

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

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

**§ 69.807. Subcontracting program.**

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

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

“It is the policy of this utility that businesses owned by minorities, women, persons with disabilities, LGBTQ and veterans should have an equal opportunity to compete for subcontracts. The contractor

agrees to use its best efforts to carry out this policy to the fullest extent consistent with the efficient performance of this contract.”

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

(3) The subcontracting program should apply to purchases/contracts exceeding \$500,000 for products and services, and for construction contracts over \$1 million. The subcontracting program need not be applied to exempt procurements. See 52 Pa. Code § 51.12 (relating to definitions) for the definition of “exempt procurement.”

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

(5) [Reserved].

**§ 69.808. External outreach.**

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

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

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

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

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

**§ 69.809. Major telecommunications utility filings.**

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

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

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

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

(4) A description of any diversity recruiting strategies.

(5) A description of any diversity promotion efforts.

(6) A description of any diversity retention efforts.

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

(8) A brief summary of MBEs/WBEs that the major telecommunications utility contracts with for goods and services. Include percentage of dollars spent with MBEs/WBEs versus non-MBEs/non-WBEs.

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

(c) Major telecommunications utilities that file annual reports with the Commission should file their respective annual reports confidentially in conformance with the filing specifications at § 1.32 (relating to filing specifications).

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

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

[Pa.B. Doc. No. 24-429. Filed for public inspection March 29, 2024, 9:00 a.m.]

## Title 52—PUBLIC UTILITIES

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 69 ]

#### Policy Statement on Public and Private Fire Protection, 52 Pa. Code §§ 69.1501—69.1504

Public Meeting held  
December 21, 2023

*Commissioners Present:* Stephen M. DeFrank, Chairperson; Kimberly Barrow, Vice Chairperson; Ralph V. Yanora; Kathryn L. Zerfuss; John F. Coleman, Jr.

*Policy Statement on Public and Private Fire Protection,  
52 Pa. Code §§ 69.1501—69.1504; M-2022-3033054*

#### Final Policy Statement

*By the Commission:*

On November 10, 2022, the Pennsylvania Public Utility Commission (PUC or Commission) entered a Proposed Policy Statement and Order wherein the PUC set forth recommended guidelines for the provision of public and

private fire protection service by water public utilities (Policy Statement). The Proposed Policy Statement was published in the *Pennsylvania Bulletin* at 53 Pa.B. 379 (January 14, 2023). The comment period closed on March 15, 2023. The Final Policy Statement is intended to provide water public utilities with a best practice guide for fire protection service and system hydraulic monitoring that the PUC considers reasonable and will be codified at 52 Pa. Code §§ 69.1501—69.1504. Ensuring that regulated fire protection service offerings are safe, reasonable, and adequate is a matter of utmost concern to the Commission and the public.

#### *Background and Procedural History*

The fire protection role of the Commonwealth's regulated water public utilities is a matter of utmost public importance. Ensuring that regulated fire protection service offerings are safe, reasonable, and adequate is likewise a matter of utmost concern to the PUC. Public and private fire protection services, whether serving a ubiquitous roadside fire hydrant or a sophisticated private commercial sprinkler system, are expected to supply adequate water safely, reliably, and immediately upon demand.

Amendments to the Commonwealth's Uniform Construction Code<sup>1</sup> over the past several decades have expanded the topic of fire protection to aspects of regulated water public utility service well beyond the provision of adequate numbers of functional fire hydrants. Internal fire protection services in the form of sprinkler systems have long been a requirement for commercial and industrial buildings. Municipal building codes and insurance requirements also increasingly mandate the installation of sprinkler systems in various types of residential construction as well. Lives and property depend on these emergency systems to work at a moment's notice. In turn, sophisticated water distribution system design, construction, management, and operations are required to accommodate and serve this type of high-volume instantaneous demand.

On June 16, 2022, the PUC adopted the Motion of Commissioner Ralph V. Yanora. The Motion directed the PUC's Bureau of Technical Utility Services (TUS), in conjunction with the PUC's Law Bureau, to solicit input from Class A water public utilities on the development of a policy statement reflecting a best practices approach to those aspects of fire protection services subject to PUC oversight. On June 29, 2022, the PUC issued a Secretarial Letter seeking comment from Class A water public utilities on the proposed policy. The PUC sought input on two areas specifically: (1) the use of hydraulic distribution system modeling required for fire protection; and (2) fire protection service afforded by current system design requirements. The Secretarial Letter was published at 52 Pa.B. 4064 (July 16, 2022).

Comments on the proposed policy were received from Aqua Pennsylvania, Inc. (Aqua), Columbia Water Company (Columbia), and the National Association of Water Companies—Pennsylvania Chapter (NAWC).

On November 10, 2022, the PUC entered the Proposed Policy Statement Order which set forth the proposed

<sup>1</sup>The Act of Nov. 10, 1999 (P.L. 491, No. 45) (35 P.S. §§ 7210.101—7210.1103), known as the Pennsylvania Construction Code Act (PCCA). The PCCA directed the Pennsylvania Department of Labor and Industry to oversee statewide application and periodic review of certain international building and mechanical codes (i.e., regulations) known collectively as the Uniform Construction Code, 34 Pa. Code §§ 401.1—405.42, (PaUCC), last amended effective February 2022, 52 Pa.B. 971 (2/12/2022). See also National Fire Protection Association 13 (NFPA 13) Standard for the Installation of Sprinkler Systems, Section 8.2.6.6.4 (2022), <https://www.nfpa.org/codes-and-standards/13/nfpa-13> (last accessed 11/22/2023).



contents of the Policy Statement. The Proposed Policy Statement Order was published at 53 Pa.B. 379 (January 14, 2023). On February 27, 2023, the PUC received comments on the Proposed Policy Statement from Aqua. On February 28, 2023, the PUC received comments from NAWC; Columbia, Community Utilities of Pennsylvania, Inc., and Audubon Water Company (Joint Commenters); and the Office of Consumer Advocate (OCA). On March 15, 2023, OCA filed reply comments.

### *Discussion*

The PUC received and reviewed the comments and reply comments filed in this proceeding. Based upon those comments and reply comments, the PUC has determined that it will proceed with a Final Policy Statement. We will first address the comments and reply comments related to language in the proposed Policy Statement. Thereafter, we will address comments and reply comments related to more general issues raised by the commenters.

#### *I. Section 69.xx1. General Scope And Purpose*

Section 69.xx1 of the Proposed Policy Statement conveyed the scope and purpose of the expected actions and level of public fire protection service and system hydraulic monitoring that the PUC considers reasonable.

##### *A. Comments*

NAWC asserts that the second sentence of Section 69.xx1(b) in the proposed policy statement is too broad and recommends starting the second sentence with “In providing fire protection services, . . .” NAWC Comments at 2. Aqua expressed that it fully supports the comments of NAWC. Aqua Comments at 1. For Section 69.xx1(b), OCA recommends a measured approach for requiring utilities to use and maintain computerized hydraulic models. OCA Comments at 5.

##### *B. Resolution*

The PUC reiterates that this Policy Statement is intended to encourage the investigation and planning that a water public utility should undertake to provide reasonable fire protection service throughout its service territory, with the understanding that this goal may take some time to accomplish. Water public utilities are encouraged to operate with a sophisticated level of technical expertise, including the use of modern water industry tools; however, water public utilities are afforded the opportunity to develop their own plan as to the implementation of computerized hydraulic models. The PUC has consistently explained that “a policy statement is intended to provide guidance regarding the policy the agency intends to implement in future adjudications.”<sup>2</sup>

To clarify that the language of Section 69.xx1(a) is intended to encourage, rather than require, water public utilities to provide reasonable fire protection service throughout the Commonwealth, the PUC will amend the last sentence of Section 69.xx1(a) by replacing “will consider” with “may consider” a water public utility’s efforts when determining just and reasonable rates for a water public utility. Moreover, while the PUC may con-

sider the costs associated with implementing these guidelines and whether those costs may be recovered, the PUC notes that it is best guided by the applicable law related to rate cases.

The PUC will amend the first sentence of proposed Section 69.xx1(b) to state “Class A water public utility” rather than “Class A public water utilities” to be consistent with the defined term and remainder of the Policy Statement. The PUC also agrees with the recommendation of NAWC and will amend the second sentence of proposed Section 69.xx1(b) to start with “In providing fire protection services,” to ensure that this sentence is unambiguous.

#### *II. Section 69.xx2. Definitions*

Section 69.xx2 of the Proposed Policy Statement included definitions to provide clarity and understanding to the Policy Statement.

##### *A. Comments*

NAWC supports the concept of defining “discrete system” the same way in both proposed Section 69.xx2 and proposed 52 Pa. Code § 65.20a(b) (relating to water conservation measures) in the Water Audit Rulemaking at Docket No. L-2020-3021932.<sup>3</sup> Specifically, NAWC recommends modifying the proposed definition as delineated in its comments on Section 65.20a(b) in the Water Audit Rulemaking proceeding. NAWC Comments at 2-3. NAWC also suggests adding a definition for “fire protection connections.” NAWC Comments at 3.

##### *B. Resolution*

The PUC understands NAWC’s comments regarding “discrete system” as defined in proposed § 69.xx2 and proposed § 65.20a(b), but the PUC concludes that the definition of “discrete system” does not need to be modified for the Policy Statement. In the Water Audit Rulemaking, NAWC proposed minor clarifications to the definition of “discrete system” clarifying whether a “stand-alone pipe network” includes treatment works and revising the definition to include a large interconnected system with multiple water sources. However, the definition of “discrete system” included in the Proposed Policy Statement was purposefully crafted in such a way as to include the entirety of a pipeline network system and water sources (which includes water treatment plants and interconnections with other systems that are owned and operated by the same company). As such, the PUC will not expand the definition in the Policy Statement.

The PUC agrees with the comment of NAWC regarding adding a definition for “fire protection connection.” The term is not currently defined in the Public Utility Code or in PUC regulations. The PUC will also add definitions for “fire hydrant,” “flushing hydrant,” “fire protection service,” and “water public utility.” These revisions follow NAWC’s suggestion to add a definition for “fire protection connection,” to more clearly define the facilities and services covered by the Policy Statement, and to clarify the applicability of the Policy Statement recommendations to all PUC-jurisdictional water public utilities. The PUC will amend the definition of “Class A water public

<sup>2</sup>See, e.g., *Pa. PUC, et al. v. Philadelphia Gas Works*, Docket No. R-2023-3037933, (Order entered Nov. 9, 2023) (citing *In Re PGW Petition, Order and Proposed Policy Statement*, Docket No. P-2009-2136508, (Final Order entered April 19, 2010)). See also *Eastwood Nursing & Rehab. Ctr. v. Dept. of Public Welfare*, 910 A.2d 134, 143 (Pa. Commw. Ct. 2006); *Dep’t of Env’t Res. v. Rushton Min. Co.*, 591 A.2d 1168 (Pa. Commw. Ct. 1991) (A general statement of policy is an announcement to the public of the policy the agency hopes to implement and is not a binding rule).

<sup>3</sup>The goal of the Water Audit Rulemaking is to implement the American Water Works Association (AWWA) Water Audit methodology as a best management practice in water loss control in Pennsylvania.

utility” to improve clarity. With the addition these definitions, the PUC will remove language throughout the Policy Statement and will replace it with these defined terms.

### III. Section 69.xx3. Fire Protection Service Afforded By Current System Design

Section 69.xx3 of the Proposed Policy Statement proposed guidance regarding operating procedures.

#### A. Comments

NAWC is concerned about establishing the same parameters for both new and existing assets and asks the PUC to confirm that a public utility’s operating procedures can set different parameters for existing as compared to new fire protection connections and fire hydrants for proposed § 69.xx3. NAWC Comments at 3. OCA agrees with NAWC that any new policies should be implemented differently for existing fire protection facilities. OCA Comments at 4. OCA also recommends that public utilities be permitted to set different minimum parameters for discrete systems (i.e., those that generate less annual revenue than a Class A water public utility) as this will provide flexibility for a utility to evaluate costs and benefits on a system-by-system basis, recognizing differences in existing facilities and operating characteristics in determining appropriate minimum parameters for fire protection service. OCA Comments at 6.

Regarding marking fire hydrants, NAWC recommends that hydrants not providing a minimum level of service be marked but does not support a complicated color-coding scheme to show expected levels of service. NAWC Comments at 4. NAWC further asserts that, regarding fire protection connections, proposed § 69.xx3(b)(3) as currently drafted is not clear as to what should be marked. OCA recommends that fire hydrants that do not provide acceptable fire flow be readily identifiable and that, where such hydrants can serve a useful purpose as a blow-off hydrant, the unacceptable-flow hydrants be marked as such instead of being removed. OCA Comments at 3 and 7.

NAWC recommends that, if a fire protection connection does not meet minimum requirements, the public utility should notify the owner of the property, the municipality, and the local fire department, preferably in writing. NAWC Comments at 7. OCA agrees with NAWC regarding the importance of notification to the owner of the property, the municipality, and the local fire department if a fire protection connection does not meet the public utility’s minimum operating characteristics. OCA Comments at 3-4. In providing public notice regarding their marking system or public fire hydrant capacity, OCA suggests that public utilities could send that notice to customers at the same time and/or in the same manner that the public utility satisfies DEP requirements for delivering Consumer Confidence Reports.<sup>4</sup> OCA Comments at 3. For private fire protection connections that do not meet minimum requirements, OCA agrees with NAWC that the public utility should notify the owner of the property, the municipality, and the local fire department, preferably in writing. OCA Comments at 3-4, citing NAWC Comments to ANOPR at 7. OCA asserts that the public utility should also follow up with the customer to discuss ways to resolve the issue. OCA Comments at 3-4.

<sup>4</sup>OCA cites [www.dep.pa.gov/Citizens/My-Water/PublicDrinkingWater/Pages/Consumer-Confidence-Reports.aspx#VkC7F6Mo59A](http://www.dep.pa.gov/Citizens/My-Water/PublicDrinkingWater/Pages/Consumer-Confidence-Reports.aspx#VkC7F6Mo59A) (last accessed on November 21, 2023).

To improve clarity, NAWC recommends replacing “incapable of” with “not” for proposed §§ 69.xx3(b)(3) and 69.xx3(b)(4). NAWC Comments at 4. NAWC asserts that proposed § 69.xx3(b)(5) should be removed. NAWC Comments at 4. NAWC further recommends replacing “of” with “or” and changing “cannot” to “does not” in proposed § 69.xx3(b)(6). NAWC Comments at 5.

Aqua expressed that it fully supports the comments of NAWC. Aqua Comments at 1.

#### B. Resolution

For proposed § 69.xx3(b)(1), the PUC concludes that it does not need to confirm that a water public utility can set different parameters for new and existing fire protection connections and hydrants as this Policy Statement allows a water public utility the flexibility to set forth a methodology that works for its facilities. The Policy Statement affords a water public utility the flexibility to evaluate costs and benefits on a system-by-system basis recognizing differences in existing facilities and operating characteristics. The PUC, in its Policy Statement, is encouraging a water public utility to develop predetermined minimum operating characteristics for fire protection service, which may take a water public utility an extended period to be able to implement consistently across its various certificated service territories.

For proposed § 69.xx3(b)(1), the PUC will change the word “basis” to “methodology” to clarify that the determination is to be based on a definable methodology or standard. The PUC will also amend this subsection to explain that the determination is to set the “minimum operating characteristics by which [the water public utility] will provide” fire protection service.

The PUC will add language to proposed § 69.xx3(b)(2) specifying that the testing and maintenance program is for fire hydrants “owned or operated by a water public utility.” The PUC will add a sentence to the end of this subsection recommending that a water public utility encourage customers with private hydrants to test and exercise their private fire hydrants. This provision is being added to clarify the PUC’s recommendation and limit the scope of the suggested program to only those hydrants owned by the water public utility. The PUC does not intend for a water public utility to test private fire protection systems; however, the PUC notes that it is important for all hydrants to be tested and exercised, including private facilities.

Similarly, the PUC concludes that further clarification is not needed for proposed § 69.xx3(b)(3) as a water public utility has the flexibility to establish its own marking method consistent with its established minimum operating characteristics.

The PUC agrees with the comments of NAWC and will replace “incapable of” with “not” for proposed §§ 69.xx3(b)(3) and 69.xx3(b)(4) to improve clarity. The PUC agrees with the comments of OCA and will revise proposed § 69.xx3(b)(4) to include a provision allowing hydrants to be marked and used as flushing hydrants. Where the water public utility determines a fire hydrant does not provide service at the minimum operating characteristics for fire protection service and may serve a useful purpose as a flushing hydrant, the water public utility can mark the fire hydrant as such, either permanently or until the hydrant can be removed, remediated,

or replaced. The PUC will revise proposed §§ 69.xx3(b)(4) and 69.xx3(b)(6) to include the term “minimum operating characteristics” and provide consistency throughout this Section.

The PUC will remove proposed § 69.xx3(b)(5) and add § 69.1503(d), recommending that a water public utility, as part of an acquisition due diligence process, analyze and estimate the level of capital expenditures and associated timeframes for a water public utility to remediate, repair, or both, the water system to be acquired, to bring the fire protection service up to at least the water public utility’s minimum operating characteristics. Proposed § 69.xx3(b)(5) indicated that a water public utility’s operating procedures and best practices should include: “An analysis of the level of capital expenditures and associated timeframes for a water public utility to remediate, repair, or both a water system, as part of an acquisition due diligence process, required to bring the fire protection service up to at least the water public utility’s acceptable operating characteristics.” This was turned into § 69.1503(d) because requesting that a public utility complete this type of analysis was more appropriate as a standalone requirement than including it in operating procedures and practices. The requirements of § 69.1503(d) are intended to be a one-time analysis at the time of an acquisition rather than an ongoing standard operating procedure. The PUC notes that it has already included a provision at proposed § 69.xx3(b)(6) recommending a written notification process for any fire protection connection found not to be providing service at the minimum operating characteristics. The PUC is also revising proposed § 69.xx3(b)(6) by changing “cannot” to “found not to be providing” to improve clarity.

#### IV. Section 69.xx4. Hydraulic Distribution System Modeling Recommended For Fire Protection

Section 69.xx4 of the Proposed Policy Statement included guidance regarding the use of computerized hydraulic modeling.

##### A. Comments

For proposed § 69.xx4, NAWC recommends that the title be changed to replace the term “required” with “recommended.” NAWC Comments at 5. NAWC believes proposed § 69.xx4(a) is unnecessary and should be deleted. NAWC Comments at 5. NAWC asserts that the PUC should clarify the interplay of proposed §§ 69.xx4(b) and 69.xx4(c)(1). NAWC Comments at 5. Finally, NAWC recommends that proposed § 69.xx4(b) be modified to use the defined term “discrete system.” NAWC Comments at 5.

Aqua expressed that it fully supports the comments of NAWC. Aqua Comments at 1. Aqua further asserted that hydraulic modeling requirements for each system would require approximately five years and additional resources to adequately develop and routinely maintain, particularly for smaller systems where the costs may outweigh the benefit of such a model. Aqua Comments at 1.

For proposed § 69.xx4(b), OCA supports the flexibility to determine whether to use computerized hydraulic modeling but cautions that it should be used where the benefits of a computerized hydraulic model justify the costs required to build, calibrate, and maintain the model. OCA Comments at 8. For systems where a computerized hydraulic model is used for ongoing fire protection purposes, the schedule should be based on considerations

other than time. Id. For example, it should be updated based on changes that impact the system’s ability to provide fire protection service, such as changes to the locations and water demands of major customers, number of customers, increase or decrease of distribution storage or pumping capacity of sources. Id.

##### B. Resolution

The PUC agrees with the comments of NAWC and will amend the title of proposed § 69.xx4 by replacing the term “Required” with “Recommended” as this is a policy statement and not a binding regulation. The PUC acknowledges NAWC’s comments regarding proposed § 69.xx4(a). However, instead of removing proposed § 69.xx4(a), the PUC will combine § 69.xx4(b) with § 69.xx4(a) as the background in proposed § 69.xx4(a) explains the recommendation for water public utilities to use hydraulic distribution system modeling. The PUC will also renumber the proposed § 69.xx4(c) to § 69.xx4(b) and include the defined term “discrete system” to ensure consistency and clarity throughout the Policy Statement.

#### V. Rate Impact And Cost Concerns

##### A. Comments

OCA is concerned about the cost and disruption to customers if utilities are required to redesign and resize existing systems. OCA Comments at 4. Aqua expressed concern that extensive infrastructure upgrades for facilities to provide fire protection services may not be economically feasible in certain areas of its service territory. Aqua Comments at 1.

The Joint Commenters assert that the fact that a public utility does not yet have a plan should not be considered as a reason to deny any portion of a requested rate increase. Joint Comments at 2. The Joint Commenters request that the PUC make it clear to ratepayers, when adjudicating a rate case, if the public utility is expending funds to further the PUC’s policy on fire protection. Joint Comments at 3. The Joint Commenters further assert that there is significant expense associated with the implementation of hydraulic modeling and consistent updates and that the PUC should ensure, in adjudicating future rate proceedings, that costs associated with implementation of the policy statement are fully recoverable in rates. Joint Comments at 3.

OCA responds that the PUC cannot guarantee full rate recovery related to compliance with the Policy Statement as such a decision would be inappropriate and inconsistent with the Public Utility Code. OCA Reply Comments at 2. OCA explains that a public utility’s decision whether to use and maintain computerized hydraulic models, and to claim recovery for costs incurred, if it chooses to do so, should be subject to review and should be recoverable if and only to the extent that the public utility shows that its service and facilities are safe, adequate and reasonable and that any claims for cost recovery are for expenditures that were also prudent and reasonable. OCA Reply Comments at 3. OCA requests that the PUC clarify, and include in the Policy Statement, a statement that a water public utility’s determinations and plans, and related claims for cost recovery, will be subject to review in public utility base rate cases. OCA Reply Comments at 3. OCA recommends that any new policies should be implemented differently for existing fire protection facilities. OCA Comments at 4.

Aqua asserts that extensive infrastructure upgrades for facilities to provide fire protection services may not be economically feasible in certain areas of its service territory. Aqua Comments at 1.



### B. Resolution

The PUC has included a provision at proposed § 69.xx1(a) stating that the PUC may consider a water public utility's effort to meet the recommendations in this Policy Statement when determining just and reasonable rates for the water public utility. While the Commission may consider the costs associated with implementing these guidelines and whether those costs may be recovered, the Commission is best guided by the applicable law related to rate cases. The PUC reiterates that this Policy Statement is intended to encourage the necessary investigation and planning that a water public utility should undertake to provide an equivalent level of service throughout its various service territories, with the understanding that this goal will take time to accomplish.

## VI. Shared Responsibility and Other Agency Oversight

### A. Comments

Aqua asserts that the provision of fire protection should not be the sole responsibility of a water public utility. Aqua Comments at 1.

OCA agrees with other commenters that PUC guidelines should harmonize with other existing guidance which includes the guidance of the DEP, the UCC, and the AWWA Manual, to minimize costs of compliance. OCA Comments at 2. OCA also suggests that a public utility be encouraged to share this information with local fire services and municipalities. OCA Comments at 3.

The Joint Commenters request the PUC to make clear that a public utility has the discretion to otherwise assist local fire departments in ensuring reasonable fire service is available for those properties that are not able to be served by the public utility's system and that demonstration that such an adequate alternate plan exists should be considered "compliant" with the Policy Statement. Joint Comments at 3-4.

### B. Resolution

It should be noted that the PUC's Policy Statement is consistent with existing guidance related to fire protection service. The Policy Statement encourages a water public utility to meet certain standards regarding fire protection service and does not prohibit a water public utility from coordinating with other entities, such as local fire departments, to ensure reasonable fire service is available.

### C. Ministerial

The PUC has also made several non-substantive ministerial revisions to the proposed Policy Statement as set forth in Annex A which include: established a numbering sequence for the Policy Statement that is consistent with Chapter 69 in Title 52 of the *Pennsylvania Code*,<sup>5</sup> corrected spacing, capitalization and punctuation errors; uncapitalized "Computerized Hydraulic Model" in proposed § 69.xx2; changed "water public utilities" to "a water public utility" throughout; and added the word "systems" to proposed § 69.xx4(b)(3).

### Conclusion

Accordingly, pursuant to 66 Pa.C.S. §§ 501, 505, 506, and 512, we will adopt as final the Policy Statement as set forth in Annex A, attached hereto; *Therefore*,

<sup>5</sup>The proposed Annex reflected §§ 69.XX1—69.XX4; those sections correspond linearly to §§ 69.1501—69.1504 in the final Policy Statement as set forth in the Annex A attached to this Final Policy Statement.

### It Is Ordered That:

1. The Public Utility Commission will adopt the Final Policy Statement as set forth in Annex A to this Order.
2. This Final Order and Annex A will be posted on the Public Utility Commission's website.
3. The Law Bureau will deliver this Order and Annex A to the Governor's Office of the Budget for fiscal review.
4. After receipt of the fiscal note from the Governor's Office of the Budget, the Law Bureau will deposit this Order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
5. This Policy Statement will become effective upon publication in the *Pennsylvania Bulletin*.
6. The contact persons for this matter are Stephanie A. Wilson, Assistant Counsel, Law Bureau, 717-787-1859, stepwilson@pa.gov; Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, 717-787-5558, jcardinale@pa.gov; and Karen Thorne, Regulatory Review Assistant, 717-772-4597, kthorne@pa.gov.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: December 21, 2023

ORDER ENTERED: January 9, 2024

**Fiscal Note:** Fiscal Note 57-339 remains valid for the final adoption of the subject regulations.

*(Editor's Note: The Pennsylvania Code is amended by adding a statement of policy in 52 Pa. Code §§ 69.1501—69.1504 to read as set forth in Annex A.)*

## Annex A

### TITLE 52. PUBLIC UTILITIES

#### PART I. PUBLIC UTILITY COMMISSION

##### Subpart C. FIXED SERVICE UTILITIES

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

#### PUBLIC FIRE PROTECTION SERVICE AND SYSTEM HYDRAULIC MONITORING—STATEMENT OF POLICY

##### § 69.1501. General scope and purpose.

###### (a) *Water public utilities.*

The coordination and consistent application of safe, adequate and reliable fire protection service offers a tremendous benefit to public safety, emergency fire protection organizations and associated personnel. Safe, reasonable and adequate regulated fire protection service offerings are a matter of utmost concern to the Commission. The policies and recommendations in this policy statement are intended to provide water public utilities with a guideline of the recommended actions and level of public fire protection service and system hydraulic monitoring that the Commission considers reasonable. The Commission may consider a water public utility's effort to meet the recommendations in this policy statement when determining just and reasonable rates for the water public utility.

(b) *Class A water public utilities.*

Fire protection services are often provided by Class A water public utilities. In providing fire protection services, a Class A water public utility should operate with a sophisticated level of technical expertise including the use of modern water industry tools such as computerized hydraulic modeling software.

§ 69.1502. **Definitions.**

The following words and terms, when used in §§ 69.1501—69.1504 (relating to public fire protection service and system hydraulic monitoring—statement of policy), have the following meanings, unless the context clearly indicates otherwise:

*Class A water public utility*—A water public utility that is a “Class A water utility” as defined in § 56.2 (relating to definitions).

*Computerized hydraulic model*—A computer-based mathematical simulation used to predict the performance of a water system.

*Discrete system*—A stand-alone pipe network with boundaries that encompass all sources of water and endpoints.

*Fire hydrant*—An above-ground, valved connection to a water distribution system having one or more outlets that is used to supply water for fire suppression.

*Flushing hydrant*—An above-ground, valved connection to a water distribution system having one or more outlets that is used for flushing a water line of detritus material or stagnant water.

*Fire protection connection*—The pipes and appurtenances owned or operated by a water public utility extending from a water supply main to a designated location, either adjacent to or within a structure or structures equipped with automatic fire sprinklers or other fire suppression devices or systems or to a fire hydrant, through which supplemental water is used to supply water for fire suppression or extinguishment.

*Fire protection service*—The provision of the necessary facilities and the completion of certain activities to include the required maintenance by a water public utility related to the supply of water to a customer or the public for the purpose of fire suppression or extinguishment.

*Water public utility*—The term includes any of the following definitions:

(1) A “public utility” as defined in 66 Pa.C.S. § 102 (relating to definitions).

(2) An “authority” as defined in 66 Pa.C.S. § 3201 (relating to definitions).

(3) A “municipal corporation” as defined in 66 Pa.C.S. § 102, to the extent its extraterritorial water service and rates are regulated by the Commission.

§ 69.1503. **Fire protection service afforded by current system design.**

(a) A water public utility’s operating procedures and best practices related to fire protection service should be maintained within this Commonwealth at an office or offices of the water public utility located in the territory served by it and should be open for examination by the Commission.

(b) A water public utility’s operating procedures and best practices related to fire protection service should include all of the following:

(1) A determination, based on a definable methodology or standard, or both, of operating characteristics such as minimum flow, pressure and duration of flow and pressure that the water public utility will consider its minimum operating characteristics by which it will provide fire protection service. These predetermined minimum operating characteristics should be applied to all fire protection connections.

(2) A fire hydrant testing and maintenance program to ensure that all fire hydrants owned or operated by a water public utility within a discrete system are tested and exercised on a specified schedule as determined operationally and economically feasible by the water public utility. A water public utility may encourage customers with private fire hydrants to test and exercise their private fire hydrants.

(3) A method to clearly mark and identify each fire protection connection found not to be providing service at the water public utility’s minimum operating characteristics for fire protection connections.

(4) An estimated schedule to remove, remediate or replace a fire protection connection found not to be providing service at the water public utility’s minimum operating characteristics for fire protection service. Where the water public utility determines a fire hydrant does not provide service at the minimum operating characteristics for fire protection service and may serve a useful purpose as a flushing hydrant, the water public utility can mark the fire hydrant as such, either permanently or until the hydrant can be removed, remediated or replaced.

(5) A written notification process to affected customers and local jurisdictions that may include property owners, the municipality and the local fire department of the location of any fire protection connection found not to be providing service at the water public utility’s minimum operating characteristics.

(c) In conjunction with its obligations under § 65.4 (relating to records), a water public utility that provides fire protection service should update its maps, plans and records to include the location of and, if feasible, the last known operating characteristics of all fire protection connections.

(d) In conjunction with its obligations under 66 Pa.C.S. § 505 (relating to duty to furnish information to commission; cooperation in valuing property) a water public utility should, as part of an acquisition due diligence process, analyze and estimate the level of capital expenditures and associated timeframes for a water public utility to remediate, repair, or both, a water system required to bring the fire protection service up to at least the water public utility’s minimum operating characteristics.

§ 69.1504. **Hydraulic distribution system modeling recommended for fire protection.**

(a) A Class A water public utility should develop and implement a plan to create, use and maintain a computerized hydraulic model for each discrete system as hydraulic distribution system modeling is a valuable aide in forecasting system capabilities under varying operational conditions.

(b) The plan should address all of the following:

(1) A determination of the minimum water system size, based upon the complexity of the distribution pipe network and water service requirements, that should have a model.

(2) An identification of the commercially available hydraulic modeling software to be used.

(3) A description of how data from the public utility's other informational databases and systems can be integrated into the computerized hydraulic model, including geographic information systems, supervisory control and data acquisition systems, and customer information systems.

(4) A schedule by which the computerized hydraulic model will be calibrated, updated and maintained to ensure the accuracy is sufficient to reasonably predict a discrete system's operational behavior to a determined level of accuracy set by the water public utility.

[Pa.B. Doc. No. 24-430. Filed for public inspection March 29, 2024, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF AGRICULTURE

### Addendum to the Order of Quarantine; Spotted Lanternfly

#### Recitals

A. Spotted lanternfly, *Lycorma delicatula*, is a new pest to the United States and has been detected in the Commonwealth. This is a dangerous insect to forests, ornamental trees, orchards and grapes and not widely prevalent or distributed within or throughout the Commonwealth or the United States. Spotted lanternfly has been detected in the Commonwealth and has the potential to spread to uninfested areas by natural means or through the movement of infested articles.

B. The Plant Pest Act (Act) (act of December 16, 1992, P.L. 1228, No. 162) (3 P.S. §§ 258.1—258.27) empowers The Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. A plant pest is defined as an organism, including other plants, causing or capable of causing injury or damage to plants or plant products (3 P.S. § 258.2). These powers include the authority, set forth at section 258.21 of the Act (3 P.S. § 258.21), to establish quarantines to prevent the spread of plant pests within this Commonwealth.

C. Under the authority of section 258.20 of the Act (3 P.S. § 258.20) the Department may declare a pest to be a public nuisance when the Department determines a plant pest to be dangerous or destructive to the agriculture, horticulture or forests of this Commonwealth. For the reasons set forth in Paragraph A above, the Department declares Spotted lanternfly, *Lycorma delicatula*, to be a public nuisance.

D. Consistent with the Order of Quarantine and Treatment: Spotted Lanternfly, published at 51 Pa.B. 1346 issued Saturday, March 13, 2021 (Order of Quarantine), where the Department detects or confirms any of the plant pests established in this Order of Quarantine—Spotted lanternfly, *Lycorma delicatula*—the place or area in which any of these plant pests are detected or confirmed shall be subject to the provisions of that Order of Quarantine published at 51 Pa.B. 1346 issued Saturday, March 13, 2021.

E. The place or area in which the plant pest is detected or confirmed shall be added to the Order of Quarantine, published at 51 Pa.B. 1346 issued Saturday, March 13, 2021, through an addendum delineating the specific location and geographic parameters of the area or place. Such Addendum shall be published in the *Pennsylvania Bulletin* and enforcement of the Addendum to the Order of Quarantine, published at 51 Pa.B. 1346 issued Saturday, March 13, 2021, with regard to that place or area shall become effective immediately.

#### Order

Under authority of section 21 of the act (3 P.S. § 258.21), and with the Recitals previously listed incorporated herein and made a part hereof this Addendum to the Order of Quarantine published at 51 Pa.B. 1346 issued Saturday, March 13, 2021, the Department Orders the following:

#### 1. Establishment of Quarantine.

The provisions, standards and requirements of the Order of Quarantine published at 51 Pa.B. 1346 issued

Saturday, March 13, 2021 are hereby established and hereafter apply with respect to Greene County. This is in addition to, and does not replace, any areas already subject to the Order of Quarantine published at 51 Pa.B. 1346 issued Saturday, March 13, 2021 and any previous Addendums to that Order of Quarantine.

#### 2. All Provisions Apply.

All of the provisions established in the Order of Quarantine published at 51 Pa.B. 1346 issued Saturday, March 13, 2021, are hereby made a part hereof this Addendum as if fully set forth herein and shall hereby be made applicable to Greene County.

RUSSELL REDDING,  
Secretary

[Pa.B. Doc. No. 24-431. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### General Quarantine Order; Exhibition of Ornamental Feathers, Unfertilized Eggs, Market Poultry and Feathers Used for Arts and Crafts

#### Recitals

A. Avian influenza is an infectious and contagious disease of poultry.

B. Avian influenza is designated a “dangerous transmissible disease” of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(a)(6).

C. Avian Influenza can be transmitted between poultry and may be transferred and spread through the movement of poultry, eggs, and poultry products; by people, vehicles, equipment, and other fomites, as well as by aerosol.

D. Avian Influenza has caused substantial loss in the past to the Pennsylvania poultry industry and the virulent form of the disease has caused widespread losses to the poultry industry in states in which poultry have been infected.

E. Avian influenza is of particular concern to the entire Pennsylvania poultry industry as Highly Pathogenic Avian Influenza (HPAI) will result in the death or destruction of infected poultry, thus causing severe economic loss, and may severely limit the market for Pennsylvania poultry products.

F. The Highly Pathogenic Avian Influenza (HPAI) Eurasian lineage goose/Guangdong H5 clade 2.3.4.4 virus has been confirmed in wild birds and in poultry flocks across the United States in 2023.

G. The Department, under the provisions set forth at section 2329 (related to quarantine) of the Domestic Animal Law (3 Pa.C.S.A. § 2329) has the authority to establish three different types of quarantine orders—Interstate and International (3 Pa.C.S.A. § 2329(c)), General (3 Pa.C.S.A. § 2329(d)) and Special (3 Pa.C.S.A. § 2329(e)).

H. As set forth at section 2329(a) (relating to power to establish and enforce), the Department may establish a Quarantine Order, “Whenever a dangerous transmissible



disease. . .exists anywhere within or outside of this Commonwealth, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease. . .or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. . .so as to render future accurate testing for recent exposure of that domestic animal to that dangerous transmissible disease. . .impractical or impossible, the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal. In addition to the aforescribed domestic animals, a quarantine may apply to any goods, products, facilities, containers, vehicles or materials that may carry dangerous transmissible disease. . .and may be applied on or in or against any premises, area or locality as defined in this chapter.” (3 Pa.C.S.A. § 2329(a)).

I. An exhibition is defined as a show or display of animals.

J. Under the authority established in the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389) and specifically the authority to establish general quarantine orders as set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. §§ 2329(a) and 2329(d)), the Pennsylvania Department of Agriculture (Department) hereby establishes a General Quarantine Order related to poultry and poultry products, at Venues and Fairs within the Commonwealth of Pennsylvania.

K. This General Quarantine Order is established to reduce the risk of infection of backyard and commercial poultry in Pennsylvania with avian influenza. The transportation of poultry and poultry products, and materials contacting poultry, poultry products, containers, conveyances and goods, in addition to the congregation of poultry and poultry products at Venues and Fairs within the Commonwealth has the potential to transfer and spread Highly Pathogenic Avian Influenza.

#### Order

1. The Department hereby enters a General Quarantine Order, incorporating the foregoing recitals as if fully set forth hereunder and establishing a temporary prohibition against the display, exhibit or presence of poultry and poultry products at any Venue or Fair within the Commonwealth of Pennsylvania with limited exception established under paragraph 7 of this Order.

2. This Order is entered under authority of the Domestic Animal Law (3 Pa.C.S.A. § 2329) and § 1702 of the Administrative Code of 1929 (71 P.S. § 442), and establishes the following quarantine restrictions with respect to the presence or exhibition of poultry and poultry products at Venues and Fairs within the Commonwealth of Pennsylvania.

3. *Quarantine Area.* The area covered by this General Quarantine Order is the entire Commonwealth of Pennsylvania.

4. *Definitions.* The following terms when used in this Order have the following meanings:

*Accredited veterinarian.* A licensed veterinarian jointly accredited by APHIS-USDA and the Department in the state the veterinarian is licensed to perform official duties on behalf of APHIS-USDA or the Department in the state the veterinarian is licensed to practice veterinary medicine. See accreditation standards established by 9 CFR Parts 160 and 161 (relating to definition of terms; and

requirements and standards for accredited veterinarians and suspension or revocation of such accreditation).

*Animal Exhibition.* Any temporary spectacle, display, event, exhibition or act featuring performing animals including, but not limited to, circuses, pony rides, animal exhibits, weight pull events, and petting zoos. This definition shall exclude zoologic exhibits and Pennsylvania Game Commission managerie permit holders.

*Avian.* Relating to birds.

*Certificate of Veterinary Inspection (CVI).* An official document issued by a federal, state, tribal, or accredited veterinarian certifying that the animals identified on the document have been inspected and were found to satisfy the regulations pertaining to their intended movement—within the same state, between states, or internationally.

*Direct movement to slaughter.* Transported to a facility for slaughter, without stops or unloading except for feeding and watering, during which the animals are not commingled with any other animals unless all are destined for slaughter.

*HPAI.* The term “HPAI” stands for and shall mean any strain of Highly Pathogenic Avian Influenza.

*Poultry.* The term “poultry” includes all domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds (pheasants, partridge, quail, grouse, and guineas); but excludes doves, pigeons, psittacine and passerine birds.

*Poultry products.* The term shall mean products of or made from poultry, including eggs, poultry parts or any goods or items containing poultry or made or derived from poultry, such as but not limited to, feathers including ornamental feathers and feathers and down used for arts and crafts, beaks, feet, down, or poultry parts.

*Venue or Fair.* The term shall mean any Fair, show, exhibition or other such venue within the Commonwealth of Pennsylvania which is sponsored by or receives funding from the Pennsylvania Department of Agriculture or receives funding pursuant to the Pennsylvania Agricultural Fair Act (act of July 8, 1986, P.L. 437, No. 92) (3 P.S. §§ 1501—1510).

5. *Purpose.* This Order allows for a proactive and deterrent approach to prevent the spread of Highly Pathogenic Avian Influenza affecting poultry related to the exhibition of poultry or poultry products at Pennsylvania Venues or Fairs while allowing limited exhibition of certain poultry and poultry products during periods of low risk for the dangerous transmissible disease Highly Pathogenic Avian Influenza.

6. *Prohibition.* Notwithstanding and in abrogation of the provisions relating to avian influenza of the General Quarantine Order; Cancellation of Exhibition of Poultry and Their Hatching Eggs Due to Highly Pathogenic Avian Influenza (52 Pa.B. 2223) (Saturday, April 16, 2022) during the time period of this General Quarantine Order, no poultry or poultry products shall be transported to, brought onto the premises of or displayed or exhibited or present at any Venue or Fair within the Commonwealth of Pennsylvania that is sponsored by or receives funding from the Pennsylvania Department of Agriculture or receives funding pursuant to the Pennsylvania Agricultural Fair Act (act of July 8, 1986, P.L. 437, No. 92) (3 P.S. §§ 1501—1510) with limited exception set forth in paragraph 7 of this Order.

7. *Exception.* Poultry and poultry products may only be brought onto the premises of or displayed or exhibited or

present at any Venue or Fair, if the Department has determined that there are currently no active HPAI control areas or surveillance zones in place in Pennsylvania. The Department will provide notification to fair managers if any active HPAI control areas or surveillance zones are in place in Pennsylvania at the beginning of the 2024 fair season and will provide updates throughout the season as necessary. The placement of a HPAI control area or surveillance zone in Pennsylvania will result in the immediate reinstatement of the prohibition of exhibition for all poultry and all poultry products in the Commonwealth of Pennsylvania (Pennsylvania), as established in the Department's General Quarantine Order; Cancellation of Exhibition of Poultry and Their Hatching Eggs Due to Highly Pathogenic Avian Influenza (52 Pa.B. 2223) (Saturday, April 16, 2022).

8. *Standards imposed when Exception Applies.* When the exception in paragraph 7 applies, the following standards shall apply and shall be imposed and enforced by Department and the Venue or Fair and followed by all exhibitors.

a. *Direct to Slaughter.* All poultry exhibited shall be moved directly to slaughter. There is no exception to this standard, and no exhibited poultry may be sent back to its premises of origin or to any other premises or establishment, held at the Venue or Fair or held over at any other premises or establishment.

b. *Transportation.* Transportation of poultry or poultry products, or both, to the Venue or Fair and to the Department or United States Department of Agriculture (USDA) licensed slaughter plant shall be done in a biosecure manner and all vehicles, conveyances, crates, equipment or other materials used in the transport of the poultry or exposed to the poultry shall be cleaned and disinfected and meet the standards imposed by the Department's "Interstate and General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Vehicle, Container and Material Standards" (45 Pa.B. 4930, Saturday, August 22, 2015).

c. *Exhibition of Poultry:* The following standards apply to the exhibition of poultry at a Venue or Fair under this exception.

i. All poultry entering an exhibition must bear an official Department issued leg band. Ratites must be identified with a neck band or an electronic implant device (the exhibitor must supply a reader).

ii. Poultry may be exhibited only if they will be moved immediately after judging directly from the Venue or Fair to a licensed slaughter facility.

iii. All poultry exhibited in Pennsylvania at Department sponsored or funded exhibitions shall move as all-in and all-out directly to a Department or USDA licensed slaughter facility following the animal exhibition and may not be diverted to premises other than a licensed slaughter facility.

iv. Waterfowl for exhibit shall be kept separate and apart from other poultry in a biosecure manner.

iv. Arrival, exhibition and departure of the poultry shall occur within a 72-hour window. The 72 hours begin when the first poultry arrive on the Venue or Fair grounds, whether unloaded or not, and ends when the last poultry physically leave the Venue or Fair grounds in a vehicle or conveyance.

v. Exhibition of poultry shall require Department issued "Owner Endorsed Avian Health Certificate and Biosecurity Statement" which will be provided by the

Department. If a CVI is provided for entry, endorsement of biosecurity on the "Owner Endorsed Avian Health Certificate and Biosecurity Statement" shall also accompany the poultry.

vi. All poultry on the Venue or Fair grounds shall be monitored for signs of illness, and any signs of illness shall be reported to the Department immediately (717-772-2852).

vii. All poultry on the Venue or Fair grounds shall be displayed behind barriers such as ropes to prevent public access to the poultry, with signage to prevent the public from crossing the barrier.

viii. Conveyances shall be cleaned and disinfected before loading to transport poultry to the Venue or Fair, and after returning to the premises of origin, and shall meet the requirements imposed by the Department's "Interstate and General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Vehicle, Container and Material Standards" (45 Pa.B. 4930, Saturday, August 22, 2015).

ix. *Avian Influenza Testing and Verification:* Avian influenza testing and verification shall meet the following requirements.

(aa) All samples shall be collected by a Certified Poultry Technician or a Category II Accredited Veterinarian and shall be tested in a National Animal Health Laboratory Network (NAHLN) laboratory.

(bb) All poultry shall originate from a flock in which a random, representative sample of a minimum of 30 birds, 3 weeks of age or older, were tested for avian influenza within the 14 days prior to opening date of the exhibition.

(cc) For waterfowl, cloacal swab samples shall be collected for testing. Swabs from geese and ducks may not be combined in the same tube for testing.

(dd) For chickens, turkeys, game birds, and ratites, blood samples (AGID testing) or tracheal or oropharyngeal swab samples (PCR testing) are acceptable samples. Samples from more than one species may not be combined in the same tube for testing.

(ee) The poultry, in addition to the documentation required in subparagraph c.v. of this Order, shall be accompanied by the most recent test report (copy acceptable). Test results must be negative or the poultry may not be shipped to, accepted by or unloaded at the Venue or Fair, and upon arrival at the Venue or Fair must be immediately denied entry and sent back to the premises of origin or quarantined until a Department or USDA veterinarian can inspect the poultry. All non-negative test results shall be reported to the Department immediately.

(ff) If there are fewer than 30 birds in the poultry flock, all birds of age in that flock shall be tested.

(gg) Untested poultry shall not be comingled with or added to the tested flock after negative samples have been collected and may not be added to the poultry that are shipped to the Venue or Fair.

(hh) Sample collectors and testers must maintain records of animal identification, testing records, any other records required by the Domestic Animal Law and any Order issued by the Department for a minimum of two years and must make such records available to the Department upon request.

(ii) National Animal Health Laboratory Network (NAHLN) protocols for sample collection, including the

number of swabs or tubes of viral transport media, and testing shall be followed. All samples must be tested at a NAHLN laboratory.

d. *Exhibition of Poultry Products.* Unfertilized eggs, ornamental feathers, and feathers used for arts and crafts may be allowed to be exhibited at a Venue or Fair with the written permission of the Department, and at the Department's discretion.

e. *Exhibition of Ornamental Feathers.* When such an exhibition is approved by the Department, the following standards and requirements apply to the exhibition of ornamental feathers at a Venue or Fair under this exception.

i. All ornamental feathers shall be sourced in the United States.

ii. Ornamental feathers, sourced from poultry, that will be displayed, exhibited, entered into a competition, or that are or will be used to produce jewelry or other items that will be exhibited, or sold, or both, shall be free of visible manure, litter, or other debris.

iii. Transport containers shall have been cleaned and disinfected before being used to transport feathers to the Venue or Fair. Where feathers arrive at the Venue or Fair in containers that are not clean, or that have any manure, litter or debris on the container, the feathers shall not be allowed to be unloaded at, exhibited or sold at the Venue or Fair and shall be required to be immediately transported off of the premises of the Venue or Fair.

iv. Exhibition of ornamental feathers shall require a Department issued "Owner Endorsed Avian Health Certificate and Biosecurity Statement." If a CVI is provided for entry, endorsement of biosecurity on the "Owner Endorsed Avian Health Certificate and Biosecurity Statement" shall also accompany the feathers.

v. Ornamental feathers, sourced from poultry, that will be displayed, exhibited, entered into a competition, or that are or will be used to produce jewelry or other items that will be exhibited, or sold, or both, shall originate from a poultry flock that has been properly tested, as set forth in paragraph 8.c.ix. of this Order, and that is not known to be infected with avian influenza. This requirement can be met by using one of the following methods.

(aa) The ornamental feathers shall originate from a poultry flock which has had a negative Avian Influenza test meeting the requirements set forth in paragraph 8.c.ix. of this Order, within the 14 days prior to the feathers being displayed, exhibited, entered into a competition, sold or made into jewelry for exhibit, or sale at a Venue or Fair. The feathers shall be accompanied by the most recent avian influenza test report, meeting the requirements set forth in paragraph c.ix of this Order, related to the poultry flock from which they were harvested (copy acceptable).

(bb) The ornamental feathers shall be clean, and held in a clean area separate from poultry and other poultry products for at least 120 days, at a minimum of 68 degrees Fahrenheit before being shipped to the Venue or Fair. Records shall be kept by the person seeking to display, exhibit, sell, or enter the feathers into a competition or to make jewelry from the feathers for display, exhibition, competition or sale of the date the feathers were moved to a holding area, along with the holding temperature. Those records shall be included with the "Owner Endorsed Avian Health Certificate and Biosecurity Statement."

f. *Exhibition of Feathers Used for Arts and Crafts:* When such an exhibition is approved by the Department, the following standards and requirements apply to the exhibition of feathers used for arts and crafts at a Venue or Fair under this exception.

i. Poultry feathers, shafts, and down shall be sourced and packaged in the United States or meet USDA import requirements.

ii. Poultry feathers, shafts, and down shall be washed or steam-treated and dried before packaging.

iii. Records evidencing the poultry feathers, shaft and down meet the criteria established in subparagraphs i. and ii. above shall accompany them to the Venue or Fair and shall be made available to the Department and the Venue or Fair organizers upon request.

g. *Exhibition of Unfertilized Poultry Eggs.* When such an exhibition is approved by the Department, the following standards and requirements apply to the exhibition of Unfertilized Poultry Eggs at a Venue or Fair under this exception.

i. The poultry eggs shall be washed and sanitized in a 100—200 ppm chlorine solution, or other disinfectant approved by the Environmental Protection Agency for use on poultry eggs, which is effective in destroying influenza virus. The poultry eggs shall then be dried before being placed in a carton or other container as allowed under subparagraph ii below.

ii. The poultry eggs shall be packaged in a new cardboard or Styrofoam carton or in a plastic carton which has been cleaned, disinfected, and dried prior to shipment to the Venue or Fair.

iii. Once the poultry eggs have been washed and sanitized as required in subparagraph i. above, the poultry eggs shall not come into contact with any other unwashed and unsanitized poultry eggs, other poultry products or poultry.

iv. Exhibition of poultry eggs shall require a Department issued "Owner Endorsed Avian Health Certificate and Biosecurity Statement." If a CVI is provided for entry, endorsement of biosecurity on the "Owner Endorsed Avian Health Certificate and Biosecurity Statement" shall also accompany the poultry eggs.

v. The poultry eggs shall originate from a poultry flock which has had a negative avian Influenza test meeting the requirements set forth in paragraph 8.c.ix. of this Order, within the 14 days prior to the eggs being displayed, exhibited, entered into a competition, sold or offered for sale at a Venue or Fair.

vi. The poultry eggs shall be accompanied by the most recent avian influenza test report, meeting the requirements set forth in paragraph 8.c.ix. of this Order, related to the poultry flock from which they were harvested (copy acceptable).

vii. The hatchlings from any poultry eggs that hatch at the Venue or Fair shall be immediately removed from the premises of the Venue or Fair, in a biosecure manner, and returned to the farm of origin.

9. *Violations/Penalties.* Any person violating the requirements of this Order shall be subject to enforcement and penalties as are allowed under the provisions of the Domestic Animal Law (3 Pa.C.S.A. § 2301 et seq.), which include revocation of license, criminal prosecution, civil penalties of up to \$10,000 per violation, injunctive relief or any combination of those penalties.



10. *No Restriction on Further Action by Department.* This Order shall not be construed as limiting Department's authority to establish additional quarantine or testing requirements or take any actions otherwise permitted under applicable statute or regulation.

11. *Contact information.* Questions regarding this General Quarantine Order shall be directed to the Commonwealth of Pennsylvania, Department of Agriculture, Bureau of Animal Health, 2301 North Cameron Street, Harrisburg, PA 17110 or by telephone at 717-772-2852, or email at RA-ahds@pa.gov.

12. *Effective Date.* This Order shall be immediately effective upon the date of publication in the *Pennsylvania Bulletin*, and shall remain in effect unless rescinded or modified by subsequent order.

RUSSELL REDDING,  
Secretary

[Pa.B. Doc. No. 24-432. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### The Resilient Food Systems Simplified Equipment-Only Grant Program; 2024 Application Period

The Department of Agriculture (Department) announces the program requirements and application period for The Resilient Food Systems Simplified Equipment-Only Grant Program (Program) under the United States Department of Agriculture (USDA), Agriculture Marketing Service. Grants will be awarded to qualified applicants. The Program aims to create more diverse local and regional market options and create more economic opportunities for communities, allowing them to retain more of the value chain dollar. The Department intends to make up to \$4.8 million available for grants under the Program.

#### 1. Definitions.

The following words and terms have the following meanings:

*Department*—The Pennsylvania Department of Agriculture.

*Middle-of-the-supply-chain*—Activities that take place after the production of the agricultural product but before the product is sold to consumers. These activities include the processing, aggregation and distribution of agricultural products between leaving the field and entering the marketplace.

*Program*—The Resilient Food Systems Simplified Equipment-Only Grant Program.

*Resilient Food Systems Simplified Equipment-Only Grant*—A fixed-price grant that will fund only equipment purchases in a minimum award amount of \$10,000 and a maximum award amount of \$100,000. Grant funds may not be used for facility upgrades, staffing or other costs.

*SBA*—The United States Small Business Administration.

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

#### 2. Program objectives.

(a) *Purpose.* The purpose of the Program is to expand capacity and infrastructure for the aggregation, processing, manufacturing, storing, transporting, wholesaling or

distribution of targeted local and regional agricultural products. This Program is intended to support food system crops and products meant for human consumption. Ineligible products include meat and poultry products which are funded through other USDA programs, wild-caught seafood, animal feed and forage products, fiber, landscaping products, tobacco and dietary supplements.

#### (b) Applicants.

(1) The following are eligible to apply for grants under the Program:

(i) Agricultural producers or processors, or groups of agricultural producers and processors.

(ii) Nonprofit organizations operating middle-of-the-supply-chain activities such as processing, aggregation or distribution of targeted agricultural products.

(iii) For-profit entities operating middle-of-the-supply-chain activities such as processing, aggregation or distribution of targeted agricultural products, whose activities are primarily focused for the benefit of local and regional producers and that meet the eligibility requirements of the SBA small business size standards.

(iv) Local government entities operating middle-of-the-supply-chain activities such as processing, aggregation or distribution of targeted agricultural products.

(v) Tribal governments operating middle-of-the-supply-chain activities such as processing, aggregation or distribution of targeted agricultural products.

(vi) Institutions such as schools, universities or hospitals bringing producers together to establish cooperative or shared infrastructure or investing in equipment that will benefit multiple producers' middle-of-the-supply-chain activities such as processing, aggregation or distribution of targeted agricultural product.

(2) For-profit entities must meet the eligibility requirements of the SBA small business size standards matched to industries described in the North American Industry Classification System. For more information on these size standards, visit the SBA's Size Standards web site at <https://www.sba.gov/federal-contracting/contracting-guide/size-standards>. For a quick check on whether a business qualifies, use the Size Standards Tool at <https://www.sba.gov/size-standards/index.html>.

(3) Applicant businesses and organizations must be domestically owned and applicants' facilities must be physically located within this Commonwealth. Applicants doing business along this Commonwealth's border should only apply in one state to avoid duplication of Federal funds.

#### (c) Activities include:

(1) Purchasing of equipment at a cost of not less than \$10,000 and not to exceed \$100,000 to be utilized to expand capacity for the aggregation, processing, manufacturing, storing, transporting, wholesaling or distribution of targeted local and regional agricultural products.

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

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



3. *Limitations on grants.* The amount of a grant shall be between \$10,000 and \$100,000. Grant recipients are required to submit documentation to substantiate the cost of each piece of equipment listed on their application. Documentation can include contracts, catalog pricing or binding quotes provided by licensed commercial entities. The cost of delivery and installation can be covered by the grant if they are listed in the official bid. When soliciting bids, make sure they will be honored at the time of the grant award which will be no earlier than July 1, 2024.

4. *Uses of grant funds.*

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

(b) *Allowable expenditures of grant funds.* Grant funds may be expended to pay for any of the activities previously listed in section 2(c).

5. *Applications.*

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

(b) *Project starting and completion dates.* An application shall designate July 1, 2024, or a later date, as the project start date, and June 30, 2026, or earlier, as the project completion date. Program grant funds will not be awarded or paid for project activities that occur before the stated project start date or after the stated project completion date.

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

(d) *Application window.* Applications shall be submitted by 5 p.m. on Wednesday, May 15, 2024.

6. *Notice of disposition of application.*

The Department will e-mail notice of the acceptance or rejection of a grant application by Monday, July 1, 2024. This notice will be e-mailed to the address provided by the applicant in the grant application.

7. *Grant agreement.*

After the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant shall execute a written or electronic grant agreement which establishes the terms and conditions subject to which the grant is made. The grant agreement will not be effective, and work should not begin, until all required signatures have been applied to the grant agreement. The grant agreement will contain and con-

form to the requirements of this notice and will also contain special terms and conditions as required by the Secretary. Among the terms of the grant agreement will be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance of the project and submit such information as the Department may require. Applicants who wish to view the full terms and conditions of the grant agreement in advance of submitting an application may contact the Department at the phone number or e-mail address set forth in section 11. Applicants who are unable to agree to the terms and conditions should not apply.

8. *Verification of project completion.*

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

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

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

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

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

9. *Delivery of grant funds by the Department.* The Department will pay the grant amount to the applicant in a single payment within 45 days of receiving the proof of completion previously described in section 8.

10. *Reporting requirements.* Within 60 days of completing the grant, grant recipients will submit a final report to the Department detailing the Program's results based upon the evaluation method proposed in the application.

11. *Questions and additional information.* Questions on this Program, including on the online application process, may be directed to the Bureau of Market Development, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2688, RA-AgBusiness@pa.gov.

RUSSELL REDDING,  
Secretary

[Pa.B. Doc. No. 24-433. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending March 19, 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-bnbnksbmsnspspt@pa.gov](mailto:ra-bnbnksbmsnspspt@pa.gov) or for credit unions, by e-mail to [ra-bncusubmissions@pa.gov](mailto:ra-bncusubmissions@pa.gov) and trust companies, by e-mail to [ra-bntrustsuprvsninq@pa.gov](mailto:ra-bntrustsuprvsninq@pa.gov). Comments must be received no later than 30 days from the date that the notice regarding acceptance of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of

the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240, or for credit unions or trust companies (717) 783-2253.

### APPLICATIONS FOR COMMENT

#### BANKING INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

### OTHER APPLICATION ACTIVITY

#### BANKING INSTITUTIONS

##### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
03-11-2024	Somerset Trust Company Somerset Somerset County	632 West Main Street Mount Pleasant Fayette County	Opened

#### CREDIT UNIONS

##### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Status</i>
03-18-2024	Franklin-Oil Region Credit Union Franklin Venango County	206 South Marin Street Titusville Crawford County	Approved

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. 24-434. Filed for public inspection March 29, 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>
0813811	Joint DEP/PFBC Pesticides Permit	Amendment	Eastern Bradford Rod & Gun Club 1562 Flanagan Road Wyalusing, PA 18853-8701	Pike Township Bradford County	NCRO
1024801	Joint DEP/PFBC Pesticides Permit	New	Corey Pacek 115 Lake Manor Butler, PA 16002-8891	Penn Township Butler County	NWRO
1024802	Joint DEP/PFBC Pesticides Permit	New	Justin D'Appolonia 315 Myoma Road Mars, PA 16046-2117	Adams Township Butler County	NWRO
1418802	Joint DEP/PFBC Pesticides Permit	New	Dimakopoulos Ryan P.O. Box 104 Pine Grove Mills, PA 16868-0104	Ferguson Township Centre County	NCRO
2524802	Joint DEP/PFBC Pesticides Permit	New	Thomas Makowski 10221 Hamot Road Waterford, PA 16441-3331	McKean Township Erie County	NWRO
3624801	Joint DEP/PFBC Pesticides Permit	New	MHC Spring Gulch LLC 475 Lynch Road New Holland, PA 17557-9568	Salisbury Township Lancaster County	SCRO
3721802	Joint DEP/PFBC Pesticides Permit	Amendment	John L Drespling 424 Stonehouse Lane Volant, PA 16156-6632	Hickory Township Lawrence County	NWRO
4320811	Joint DEP/PFBC Pesticides Permit	Transfer	Paul Petersheim 19 Lower Road Cochranton, PA 16314-3017	French Creek Township Mercer County	NWRO
4324801	Joint DEP/PFBC Pesticides Permit	New	Ken Jones 4004 Wynwood Drive Sharpsville, PA 16150-9024	South Pymatuning Township Mercer County	NWRO
4617802	Joint DEP/PFBC Pesticides Permit	Amendment	Huntingdon Valley CC 2295 Country Club Drive Huntingdon Valley, PA 19006-5607	Abington Township Montgomery County	SERO
6324800	Joint DEP/PFBC Pesticides Permit	New	Brookwood Place HOA 2543 Washington Road Pittsburgh, PA 15241-2513	Peters Township Washington County	SWRO
6524800	Joint DEP/PFBC Pesticides Permit	New	Penn Township 2001 Municipal Court Harrison City, PA 15636-1349	Penn Township Westmoreland County	SWRO
6617802	Joint DEP/PFBC Pesticides Permit	Amendment	Wyoming County 1 Court House Square Tunkhannock, PA 18657-1228	Overfield Township Wyoming County	NERO



## 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>
2107401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Cumberland Valley School District 6746 Carlisle Pike Mechanicsburg, PA 17050-1711	Silver Spring Township Cumberland County	SCRO
3471403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	McAlisterville Area Joint Authority Juniata County P.O. Box 61 McAlisterville, PA 17049-0061	Fayette Township Juniata County	SCRO
NOEXNC161	No Exposure Certification	Renewal	BWI 2689 Route 522 Selinsgrove, PA 17870-8892	Penn Township Snyder County	NCRO
PAG030313	PAG-03 NPDES General Permit for Industrial Stormwater	New	Edlon Inc. A Pfaudler Co. 117 West State Street Avondale, PA 19311	Avondale Borough Chester County	SERO
PAG030314	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Abington Township 1176 Old York Road Abington, PA 19001-3731	Upper Dublin Township Montgomery County	SERO
PAG030315	PAG-03 NPDES General Permit for Industrial Stormwater	New	710 Trainer St LLC 710 Trainer Street Trainer, PA 19013	Trainer Borough Delaware County	SERO
PAG036575	PAG-03 NPDES General Permit for Industrial Stormwater	New	Pull-A-Part LLC 4473 Tilly Mill Road Atlanta, GA 30360-2107	Penn Hills Township Allegheny County	SWRO
PAG038609	PAG-03 NPDES General Permit for Industrial Stormwater	New	Mineral Proc Specialties Inc. 1292 Butler Road Springdale, PA 15144-1038	Bessemer Borough Lawrence County	NWRO
PAG041031	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Carol & Michael Hoskins 127 Hadley Road Greenville, PA 16125-9701	Hempfield Township Mercer County	NWRO
PAG041102	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Hoffman Kevin S 783 Willow Avenue P.O. Box 10 Knox, PA 16232-1857	Porter Township Clarion County	NWRO
PAG041181	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Michael E Burns & Michael P Cook 102 Jude Drive Pittsburgh, PA 15237-2528	West Shenango Township Crawford County	NWRO
PAG041302	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Rodgers Stephen R 396 Pulaski Road Pulaski, PA 16143	Shenango Township Mercer County	NWRO
PAG041311	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Peace Mary 302 Scranton Hollow Road Warren, PA 16365	Farmington Township Warren County	NWRO
PAG043986	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	New	Etheridge Kimberly 265 Wiest School Road Oley, PA 19547	Oley Township Berks County	SCRO
PAG048313	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Anna & Randy Maring 2803 Pine Valley Road Columbus, PA 16405-3903	Freehold Township Warren County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG048324	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Turner Jeffrey L 2332 Valentine Run Road Russell, PA 16345-3026	Farmington Township Warren County	NWRO
PAG048341	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Mook Jeremy 7655 Agnew Road Linesville, PA 16424-1515	Summit Township Crawford County	NWRO
PAG048408	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	David & Debra Fockler 329 Sharon Bedford Road West Middlesex, PA 16159-2427	Shenango Township Mercer County	NWRO
PAG048410	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Panko Timothy J Jr 14140 Dickson Road Meadville, PA 16335-8062	West Mead Township Crawford County	NWRO
PAG048477	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Gary L Gerasimek P.O. Box 261 Sharpsville, PA 16150-0261	South Pymatuning Township Mercer County	NWRO
PAG048488	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Heidi & Michael Kokoski 1831 N Vernon Road Fredonia, PA 16124-3215	Fairview Township Mercer County	NWRO
PAG048498	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Campbell Jeffrey R 2005 Maxwell Lane Mars, PA 16046-2137	Monroe Township Clarion County	NWRO
PAG048522	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Robert & Tyson Morrison 194 Rowley Road Sugar Grove, PA 16350-6424	Farmington Township Warren County	NWRO
PAG048549	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Tutmaher Shawn 734 Egypt Hollow Road Warren, PA 16365-8121	Glade Township Warren County	NWRO
PAG048614	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	David & Jennifer Jarzab 3139 Frampton Road Hermitage, PA 16148-6205	Hermitage City Mercer County	NWRO
PAG048662	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Mandy & Paul Hause 326 Greenville Road Greenville, PA 16125-3236	Salem Township Mercer County	NWRO
PAG048751	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Kenneth Jr & Stephanie Grubb 37 Kitch Road Greenville, PA 16125-9610	Otter Creek Township Mercer County	NWRO
PAG048795	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Tyillian Stephen 2745 S Keel Ridge Road Hermitage, PA 16148-6329	Hermitage City Mercer County	NWRO
PAG048830	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Daric & Terilynn Wise 2601 S Roanoke Street Gilbert, AZ 85295-2371	Pittsfield Township Warren County	NWRO
PAG048870	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Jeremy & Taryne Lewis 1385 Crippen Hill Road Pittsfield, PA 16340-6527	Brokenstraw Township Warren County	NWRO

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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>
PAG048935	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Donnell Brian 14300 Route 957 Sugar Grove, PA 16350-2806	Freehold Township Warren County	NWRO
PAG048975	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Deacon Alexander 640 Ridge Road Pittsburgh, PA 15205-9500	Summerhill Township Crawford County	NWRO
PAG049129	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Musciano Stephen 3019 Oakhurst Road Bethel Park, PA 15102-1224	Slippery Rock Township Butler County	NWRO
PAG049178	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Martin John E 4312 Neptune Drive Erie, PA 16506-3650	Columbus Township Warren County	NWRO
PAG049184	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Mark & Sarah Willard 8800 Route 59 Lewis Run, PA 16738-1724	Lafayette Township McKean County	NWRO
PAG049195	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Jesse & Jill Fitzgerald 52 Wildwood Lane Russell, PA 16345-5432	Pine Grove Township Warren County	NWRO
PAG049260	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Donald & Tina Baker 952 Fowler Brk Eldred, PA 16731-3028	Eldred Township McKean County	NWRO
PAG049290	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Michelle & Mickey Horne 335 Hilltop Lane Washington, PA 15301-1326	Deerfield Township Warren County	NWRO
PAG049337	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Headley Jean 102 Nursery Road Renfrew, PA 16053-9301	Connoquenessing Township Butler County	NWRO
PAG049419	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Adams Charles A 21632 Fisher Road Meadville, PA 16335-5474	Woodcock Township Crawford County	NWRO
PAG049423	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Yoder Robert J 613 Conneaut Lake Road Adamsville, PA 16110-1103	Sugar Grove Township Mercer County	NWRO
PAG049504	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Jacqueline & Todd Graham 240 Mount Union Road Portersville, PA 16051-1112	Worth Township Butler County	NWRO
PAG049517	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Robin & Steven Stanko 575 Pine Ridge Road Sugar Grove, PA 16350-6835	Farmington Township Warren County	NWRO
PAG049527	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Christine & Samuel Mastrangelo 3220 Dutch Ridge Road Beaver, PA 15009-9771	Licking Township Clarion County	NWRO
PAG049589	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Justin & Lindsey Kramer 2603 Ludwick Road Sugar Grove, PA 16350-7215	Farmington Township Warren County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG049597	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Brenda & Raymond Cooper 103 Colt Lane Warren, PA 16365-4396	Glade Township Warren County	NWRO
PAG100054	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	MIPC LLC 920 Cherry Tree Road Aston, PA 19104	Upper Chichester Township Delaware County	SERO
PAG123583	PAG-12 NPDES General Permit for CAFOs	Renewal	Pigtail Acres LLC 1030 Girl Scout Road Stevens, PA 17578-9784	Clay Township Lancaster County	SCRO
PAG123818	PAG-12 NPDES General Permit for CAFOs	Renewal	Parx Casino & Racing 3001 Street Road Bensalem, PA 19020-2006	Bensalem Township Bucks County	SCRO
PAG123905	PAG-12 NPDES General Permit for CAFOs	Renewal	Stewhills Farm LLC 950 Muddy Creek Forks Road Airville, PA 17302-9303	Chanceford Township York County	SCRO
PAG124845	PAG-12 NPDES General Permit for CAFOs	Renewal	D & K Poultry LLC 66 Dundore Road Port Trevorton, PA 17864-9504	West Perry Township Snyder County	SCRO
6301408	Pump Stations Individual WQM Permit	Amendment	Donegal Township P.O. Box 310 34 N Liberty Street West Alexander, PA 15376-0310	Donegal Township Washington County	SWRO
3624401	Sewer Extensions Individual WQM Permit	New	HHF Real Estate Development LLC 616 Paxton Place Lititz, PA 17543-8274	Manor Township Lancaster County	SCRO
6521403	Sewer Extensions Individual WQM Permit	Amendment	Delmont Borough 3001 Meadowbrook Road Murrysville, PA 15668-1627	Murrysville Borough Westmoreland County	SWRO
PA0255955	Single Residence STP Individual NPDES Permit	Transfer	Richard Austin W 1141 Route 288 Fombell, PA 16123-2329	Franklin Township Beaver County	SWRO
PA0265861	Single Residence STP Individual NPDES Permit	Transfer	Jurkiewicz Briana & Joseph 3501 Spring Road Carlisle, PA 17013-8736	Middlesex Township Cumberland County	SCRO
0421405	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Richard Austin W 1141 Route 288 Fombell, PA 16123-2329	Franklin Township Beaver County	SWRO
1683401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Campbell Jeffrey R 2005 Maxwell Lane Mars, PA 16046-2137	Monroe Township Clarion County	NWRO
2003427	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Michael E Burns & Michael P Cook 102 Jude Drive Pittsburgh, PA 15237-2528	West Shenango Township Crawford County	NWRO
2004405	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Deacon Alexander 640 Ridge Road Pittsburgh, PA 15205-9500	Summerhill Township Crawford County	NWRO
2091403	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Panko Timothy J Jr 14140 Dickson Road Meadville, PA 16335-8062	West Mead Township Crawford County	NWRO



## 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>
2095408	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Mook Jeremy 7655 Agnew Road Linesville, PA 16424-1515	Summit Township Crawford County	NWRO
2113402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Jurkiewicz Briana & Joseph 3501 Spring Road Carlisle, PA 17013-8736	Middlesex Township Cumberland County	SCRO
2524402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Reiser David 13692 Ridge Road West Springfield, PA 16443-9446	McKean Township Erie County	NWRO
4300402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Mandy & Paul Hause 326 Greenville Road Greenville, PA 16125-3236	Salem Township Mercer County	NWRO
4301418	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Kenneth Jr & Stephanie Grubb 37 Kitch Road Greenville, PA 16125-9610	Otter Creek Township Mercer County	NWRO
4302406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Tyillian Stephen 2745 S Keel Ridge Road Hermitage, PA 16148-6329	Hermitage City Mercer County	NWRO
4391404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Yoder Robert J 613 Conneaut Lake Road Adamsville, PA 16110-1103	Sugar Grove Township Mercer County	NWRO
4393415	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Heidi & Michael Kokoski 1831 N Vernon Road Fredonia, PA 16124-3215	Fairview Township Mercer County	NWRO
4396412	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	David & Debra Fockler 329 Sharon Bedford Road West Middlesex, PA 16159-2427	Shenango Township Mercer County	NWRO
4398401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Gary L Gerasimek P.O. Box 261 Sharpsville, PA 16150-0261	South Pymatuning Township Mercer County	NWRO
4399419	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	David & Jennifer Jarzab 3139 Frampton Road Hermitage, PA 16148-6205	Hermitage City Mercer County	NWRO
6202408	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Daric & Terilynn Wise 2601 S Roanoke Street Gilbert, AZ 85295-2371	Pittsfield Township Warren County	NWRO
6203402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Jeremy & Taryne Lewis 1385 Crippen Hill Road Pittsfield, PA 16340-6527	Brokenstraw Township Warren County	NWRO
6203417	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Donnell Brian 14300 Route 957 Sugar Grove, PA 16350-2806	Freehold Township Warren County	NWRO
6289409	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Anna & Randy Maring 2803 Pine Valley Road Columbus, PA 16405-3903	Freehold Township Warren County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6293404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Robert & Tyson Morrison 194 Rowley Road Sugar Grove, PA 16350-6424	Farmington Township Warren County	NWRO
6294403	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Tutmaher Shawn 734 Egypt Hollow Road Warren, PA 16365-8121	Glade Township Warren County	NWRO
6295406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Turner Jeffrey L 2332 Valentine Run Road Russell, PA 16345-3026	Farmington Township Warren County	NWRO
WQG01032401	WQG-01 WQM General Permit	New	Etheridge Kimberly 265 Wiest School Road Oley, PA 19547	Oley Township Berks County	SCRO
WQG01161301	WQG-01 WQM General Permit	Transfer	Hoffman Kevin S 783 Willow Avenue P.O. Box 10 Knox, PA 16232-1857	Porter Township Clarion County	NWRO
WQG018336	WQG-01 WQM General Permit	Transfer	Musciano Stephen 3019 Oakhurst Road Bethel Park, PA 15102-1224	Slippery Rock Township Butler County	NWRO
WQG018386	WQG-01 WQM General Permit	Transfer	Martin John E 4312 Neptune Drive Erie, PA 16506-3650	Columbus Township Warren County	NWRO
WQG018392	WQG-01 WQM General Permit	Transfer	Mark & Sarah Willard 8800 Route 59 Lewis Run, PA 16738-1724	Lafayette Township McKean County	NWRO
WQG018403	WQG-01 WQM General Permit	Transfer	Jesse & Jill Fitzgerald 52 Wildwood Lane Russell, PA 16345-5432	Pine Grove Township Warren County	NWRO
WQG018471	WQG-01 WQM General Permit	Transfer	Donald & Tina Baker 952 Fowler Brk Eldred, PA 16731-3028	Eldred Township McKean County	NWRO
WQG018498	WQG-01 WQM General Permit	Transfer	Michelle & Mickey Horne 335 Hilltop Lane Washington, PA 15301-1326	Deerfield Township Warren County	NWRO
WQG018541	WQG-01 WQM General Permit	Transfer	Headley Jean 102 Nursery Road Renfrew, PA 16053-9301	Connoquenessing Township Butler County	NWRO
WQG018611	WQG-01 WQM General Permit	Transfer	Adams Charles A 21632 Fisher Road Meadville, PA 16335-5474	Woodcock Township Crawford County	NWRO
WQG018684	WQG-01 WQM General Permit	Transfer	Jacqueline & Todd Graham 240 Mount Union Road Portersville, PA 16051-1112	Worth Township Butler County	NWRO
WQG018694	WQG-01 WQM General Permit	Transfer	Robin & Steven Stanko 575 Pine Ridge Road Sugar Grove, PA 16350-6835	Farmington Township Warren County	NWRO
WQG018704	WQG-01 WQM General Permit	Transfer	Christine & Samuel Mastrangelo 3220 Dutch Ridge Road Beaver, PA 15009-9771	Licking Township Clarion County	NWRO
WQG018757	WQG-01 WQM General Permit	Transfer	Justin & Lindsey Kramer 2603 Ludwick Road Sugar Grove, PA 16350-7215	Farmington Township Warren County	NWRO
WQG018765	WQG-01 WQM General Permit	Transfer	Brenda & Raymond Cooper 103 Colt Lane Warren, PA 16365-4396	Glade Township Warren County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG018800	WQG-01 WQM General Permit	Transfer	Carol & Michael Hoskins 127 Hadley Road Greenville, PA 16125-9701	Hempfield Township Mercer County	NWRO

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

*Northcentral Regional Office*

**PA0232971**, Sewage, SIC Code 4952, **Franklin Township**, P.O. Box 85, Lairdsville, PA 17742-0085. Facility Name: Lairdsville Wastewater Treatment Plant. This existing facility is located in Franklin 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 Muncy Creek, is located in State Water Plan watershed 10-D and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.018 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>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	3.5	6.0	Report	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	4.5	6.5	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Ammonia-Nitrogen	Report	Report	XXX	Report	Report	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Ultraviolet light dosage (mjoules/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	60	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	9.7 Total Annual	XXX	XXX	XXX	XXX
Effluent Net						
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

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

The EPA Waiver is not in effect.

Southcentral Regional Office

**Application No. PA0281727**, Concentrated Animal Feeding Operation (CAFO), **Hamilton Farm LLC (Hamilton Farm LLC CAFO)**, 10049 Ferguson Valley Road, Lewistown, PA 17044-8601.

Hamilton Farm LLC has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Hamilton Farm LLC CAFO, located in Adams Township, **Snyder County**.

The CAFO is situated near Unnamed Tributary of North Branch Middle Creek (CWF, MF) and Unnamed Tributary to Swift Run (HQ-CWF, MF) both in Watershed 6-A and are classified for Cold Water Fishes, Migratory Fishes, and High Quality—Cold Water Fishes, Migratory Fishes respectively. The CAFO is designed to maintain an animal population of approximately 805.56 animal equivalent units (AEUs) consisting of 5,400 Swine Grow Finish. Liquid swine manure is stored on the operation in an HDPE-Lined Lagoon. 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 570-327-3693.

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

Northcentral Regional Office

**PA0232874**, Storm Water, SIC Code 5169, **American Rock Salt Company, LLC**, P.O. Box 190, Mount Morris, NY 14510-0190. Facility Name: DuBois Salt Storage Facility. This existing facility is located in Sandy Township, **Clearfield County**.

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

The receiving stream(s), Sandy Lick Creek, is located in State Water Plan watershed 17-C. The discharge is not expected to affect public water supplies.

The proposed reporting requirements for Outfall 001 are:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Total Monthly	Daily Maximum		Average Monthly	Maximum	
Total Flow (Total Volume, Mgal)	Report	Report	XXX	XXX	XXX	XXX
Rainfall (In)	Report	Report	XXX	XXX	XXX	XXX

The proposed reporting requirements for Internal Monitoring Point 102 are:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Daily Maximum	Maximum	
pH (S.U.)	XXX	XXX	Report Inst Min	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Cyanide, Free (ug/L)	XXX	XXX	XXX	Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.



*Northeast Regional Office*

**PA0060721**, Sewage, SIC Code 4952, **Pocono Plateau Christian Association**, 304 Pocono Plateau Road, Cresco, PA 18326-7888. Facility Name: Pocono Plateau Treatment Plant. This existing facility is located in Barrett Township, **Monroe 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 Taylor Creek (EV (existing use)), is located in State Water Plan watershed 1-C and is classified for High Quality Waters—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 0.015 MGD—Interim Limits.

(From Permit Effective Date to Three Years After Permit Effective Date)

<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>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.2	XXX	2.8
Ammonia-Nitrogen May 1 - Oct 31	Report	XXX	XXX	13.0	XXX	26.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD—Final Limits.

(From Three Years After Permit Effective Date to Permit Expiration Date)

<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>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Ammonia-Nitrogen May 1 - Oct 31	Report	XXX	XXX	10.9	XXX	21.8

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 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
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	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 (%) Nov 1 - Apr 30 May 1 - Oct 31	Report	XXX	XXX	XXX	XXX	XXX
	85 Min Mo Avg	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30 May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean 200	XXX	10,000 1,000
Ammonia-Nitrogen Nov 1 - Apr 30	Report	XXX	XXX	20.0 Geo Mean	XXX	40.0
Total Phosphorus	Report	XXX	XXX	0.5	XXX	1.0
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Annl Avg XXX	XXX	Report

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*

**PA0061204**, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater, Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3402. Facility Name: Lake Harmony WWTP. This existing facility is located in Kidder Township, **Carbon 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, Shingle Mill Run (HQ-CWF, MF), is located in State Water Plan watershed 2-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 0.4 MGD.

(From Permit Effective Date to 3 Years After Permit Effective Date)

<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>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Lead, Total	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 MGD.

(From 3 Years After Permit Effective Date to Permit Expiration Date)

<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>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Copper, Total	0.04	XXX	XXX	0.012	XXX	0.018
Lead, Total	0.013	XXX	XXX	0.004	XXX	0.010

-The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 MGD.

(From Permit Effective Date to Permit Expiration Date)

<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>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.09	XXX	0.20
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	33.4	XXX	XXX	10.0	XXX	20.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub> Minimum % Removal (%)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	60.0	XXX	XXX	18.0	XXX	36.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	20.0	XXX	XXX	Geo Mean	XXX	12.0
Nov 1 - Apr 30				6.0		
May 1 - Oct 31	6.6	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	3.3	XXX	XXX	1.0	XXX	2.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 MGD.

(From Permit Effective Date to Permit Expiration Date)

<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>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Total Dissolved Solids	Report Avg Qrtly	XXX	XXX	1,000 Avg Qrtly	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Maximum</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Kjeldahl Nitrogen	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Zinc, Total	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX

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

- Water Quality-Based Effluent Limitations for Toxic Pollutants
- Solids Management
- Corrosion Control Feasibility Study

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*

**PA0061361**, Sewage, SIC Code 4952, **Smithfield Sewer Authority**, 1155 Red Fox Road, East Stroudsburg, PA 18301-9106. Facility Name: Smithfield Wastewater Treatment Plant. This existing facility is located in Smithfield Township, **Monroe 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 Sambo Creek (CWF, MF), is located in State Water Plan watershed and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 MGD—Interim Limits.

(From Permit Effective Date to Three Years After Permit Effective Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Weekly Average</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.68
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	83.0	130	25.0	40.0	XXX	50.0
Copper, Total	Report	XXX	Report	Report	XXX	XXX
				Daily Max		

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 MGD—Final Limits.

(From Three Years After Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Weekly Average</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.66
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	76.7	115.1	23.0	34.5	XXX	46.0
Copper, Total	0.069	0.11	0.021	0.032	XXX	0.052
		Daily Max		Daily Max		

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	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	XXX	XXX	XXX
			5.0			
			Inst Min			

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Total Suspended Solids Raw Sewage Influent	100 XXX	150 XXX	XXX XXX	30.0 Report	45.0 XXX	60.0 XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30 May 1 - Sep 30	XXX XXX	XXX XXX	XXX XXX	2,000 Geo Mean 200 Geo Mean	XXX XXX XXX	10,000 1,000
Ammonia-Nitrogen Nov 1 - Apr 30 May 1 - Oct 31	25 8.3	XXX XXX	XXX XXX	7.5 2.5	XXX XXX	15.0 5.0
Zinc, Total	Report	XXX	Report	Report	XXX	XXX
E. Coli (No./100 ml) Total Nitrogen	XXX XXX	XXX XXX	XXX XXX	Avg Mo XXX Report	XXX XXX XXX	Report XXX
Nitrate as N	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX

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

- Solids Management
- Requirements for Total Copper

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*

**PAI132204, MS4**, P.O. Box 210, Old Zionsville, PA 18068-0210.

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 Upper Milford Township, **Lehigh County**. The receiving streams, Leibert Creek (HQ-CWF, MF), Unnamed Tributary to Swabia Creek (HQ-CWF, MF), Unnamed Tributary of Hosensack Creek (CWF, MF), Unnamed Tributary to Hosensack Creek (CWF, MF), Unnamed Tributary to Leibert Creek (HQ-CWF, MF), and Unnamed Tributary to Little Lehigh Creek (HQ-CWF, MF), are located in State Water Plan watershed 2-C and 3-E and are classified for High Quality—Cold Water, Migratory Fish, Cold Water Fishes, and Migratory 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 570-826-5472.

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

*Northeast Regional Office*

**PA0275972**, Storm Water, SIC Code 4225, **Behr Process Corporation**, 9670 West Hills Court, Kutztown, PA 19530. Facility Name: Kutztown Distribution Center. This existing facility is located in Weisenberg Township, **Lehigh County**.

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

The receiving stream(s), Unnamed Tributary to Lyon Creek (HQ-CWF, MF), is located in State Water Plan watershed 2-C 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 0 MGD.—Limits.

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



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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

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*

**PA0265781**, Industrial, SIC Code 4941, **Slippery Rock Municipal Authority**, 116 Crestview Drive, Slippery Rock, PA 16057-0157. Facility Name: Slippery Rock Borough WTP. This existing facility is located in Slippery Rock 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 stream, the Slippery Rock Creek (CWF), is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
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	1.0	1.25
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	10
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 002 are based on a design flow of 0.19 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Total Dissolved Solids	Report	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	5,000	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	10
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

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 not in effect.

*Southcentral Regional Office*

**PA0088528**, Sewage, SIC Code 4952, **Tulpehocken Township**, P.O. Box 272, Rehrersburg, PA 19550-0272. Facility Name: Tulpehocken Township Rehrersburg STP. This existing facility is located in Tulpehocken Township, **Berks 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 Little Swatara Creek, is located in State Water Plan watershed 7-D and is classified for CWF, 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 .065 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	13.5	XXX	XXX	25.0	XXX	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	16.3	XXX	XXX	30.0	XXX	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
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	Report
Ammonia-Nitrogen	3.9	XXX	XXX	7.2	XXX	14.4
Nov 1 - Apr 30						
May 1 - Oct 31	1.3	XXX	XXX	2.4	XXX	4.8
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	1.1	XXX	XXX	2.0	XXX	4

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

- Proper Handling and Disposal of Sludge
- Sludge Reporting to DEP including a Sewage Sludge Management Inventory annually.

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0266566**, Sewage, SIC Code 4952, **Jackson Township Sewer Authority**, 439 Roth Church Road, Spring Grove, PA 17362-8872. Facility Name: Jackson Township STP. This existing facility is located in Jackson Township, **York 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), Codorus Creek (WWF, MF), is located in State Water Plan watershed 7-H 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 .8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		Instant. Maximum
	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 .8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	100	155	XXX	15.0	23.0	30

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	194	291	XXX	30.0	45.0	XXX
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		
Ultraviolet light intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net						
Ammonia-Nitrogen Nov 1 - Apr 30	90.0	XXX	XXX	13.5	XXX	27
May 1 - Oct 31	30.0	XXX	XXX	4.5	XXX	9
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	12	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total (ug/L)	XXX	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	10,958	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	1,461	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

*Southcentral Regional Office*

**PA0009458**, Industrial, SIC Code 3231, **Pittsburgh Glass Works LLC**, 4408 E Pleasant Valley Boulevard, Tyrone, PA 16686-7029. Facility Name: Pittsburgh Glass Works LLC. This existing facility is located in Antis Township, **Blair County**.

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

The receiving stream(s), Little Juniata River (TSF), is located in State Water Plan watershed 11-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 .266 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	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	Inst Min XXX	110	Report Daily Max	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0087891 A-1**, Storm Water, SIC Code 5191, **Growmark FS LLC**, 1705 Towanda Avenue, Bloomington, IL 61701-2040. Facility Name: Growmark FS LLC. This existing facility is located in Latimore Township, **Adams County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of stormwater associated with industrial activities.

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

The proposed effluent limits for Outfalls 001 and 002:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Atrazine	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003:

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

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmarks for TSS)
- Other Requirements

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

The EPA Waiver is in effect.



*Southeast Regional Office*

**PA0027421**, Sewage, SIC Code 4952, **Norristown Municipal Waste Authority**, 235 East Airy Street, Norristown, PA 19401. Facility Name: Norristown Borough STP. This existing facility is located in Norristown Borough, **Montgomery County**.

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

The receiving stream, Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 9.75 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 9.75 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	2,030	3,250	XXX	25	40 Wkly Avg	50
Nov 1 - Apr 30					30	40
May 1 - Oct 31	1,630	2,440	XXX	20	30 Wkly Avg	40
Raw Sewage Influent Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	2,440	3,660	XXX	30	45 Wkly Avg	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30				Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	1,630	XXX	XXX	20	XXX	40
Nov 1 - Apr 30					XXX	20
May 1 - Oct 31	810	XXX	XXX	10	XXX	20
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 9.75 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	1,000.0 Avg Qrtly	XXX	2,500
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 9.75 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

Stormwater Outfall 004 is not required to be monitored.

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

- A. No Stormwater to Sewers
- B. Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Minimization
- E. Notification of Designation of Responsible Operator
- F. Fecal Coliform Reporting
- G. Operations and Maintenance Plan
- H. Pretreatment Program Implementation
- I. Solids Management
- J. Whole Effluent Toxicity Testing
- K. Stormwater Requirements
- L. PCB Pollutant Minimization Plan and Monitoring

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*

**PAI130065, MS4, Upper Dublin Township, 370 Commerce Drive, Fort Washington, PA 19034.**

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 Upper Dublin Township, **Montgomery County**. The receiving stream(s), Pine Run (TSF, MF), Wissahickon Creek (TSF, MF), Unnamed Tributary of Park Creek (WWF, MF), Sandy Run (TSF, MF), Unnamed Tributary to Wissahickon Creek (TSF, MF), and Unnamed Tributary to Pennypack Creek (TSF, MF), is located in State Water Plan watershed 2-F, 3-F, and 3-J and is classified for Trout Stocking, Migratory Fishes, and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

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

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

*Southeast Regional Office*

**PAI130518**, MS4, **East Vincent Township**, 262 Ridge Road, Spring City, PA 19475-2203.

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 East Vincent Township, **Chester County**. The receiving stream(s), Unnamed Tributary to French Creek (HQ-TSF, MF), Unnamed Tributary to Schuylkill River, Unnamed Tributary of Pigeon Creek (HQ-TSF, MF), and Stony Run (HQ-TSF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fish and High Quality Waters—Trout Stocking, 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 484-250-5910.

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

*Southeast Regional Office*

**PA0035297**, Storm Water, SIC Code 5171, **Energy Transfer Marketing & Terminals LP**, 4041 Market Street, Aston, PA 19014. Facility Name: Twin Oaks Terminal. This existing facility is located in Upper Chichester Township, **Delaware County**.

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

The receiving stream, Dutton Run (WWF, MF), is located in State Water Plan watershed 3-G 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 an average stormwater flow.—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 Quarterly</i>	<i>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on an average stormwater flow.—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 Quarterly</i>	<i>Daily Maximum</i>	
Flow (GPD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15.0	XXX	30.0

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.—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 Quarterly</i>	<i>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow.—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 Quarterly</i>	<i>Daily Maximum</i>	
Flow (GPD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15.0	XXX	30.0

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

1. Stormwater Outfalls
2. Best Management Practices
3. Stormwater Monitoring

4. Routine Inspections
5. PPC Plan
6. Acquiring Necessary Property Rights
7. Proper Sludge Disposal
8. TMDL/WLA Analysis

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*

**PA0218413 A-1**, Sewage, SIC Code 4952, **Economy Borough Municipal Authority**, 2860 Conway Wallrose Road, Baden, PA 15005-2306. Facility Name: Big Sewickley Creek WWTP. This existing facility is located in Economy Borough, **Beaver County**.

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

The receiving stream(s), Big Sewickley Creek (TSF), is located in State Water Plan watershed 20-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Cyanide, Free (ug/L)	0.063	0.094	XXX	6.0	9.0	14

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Cyanide, Free (ug/L)	0.051	0.092	XXX	4.91	8.82	12.3

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	145.0	215.0	XXX	14.0	21.0	28
Nov 1 - Apr 30						
May 1 - Oct 31	95.0	145.0	XXX	9.5	14.0	19
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	310.0	465.0	XXX	30.0	45.0	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		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX



Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Ammonia-Nitrogen Nov 1 - Apr 30	36.0	XXX	XXX	3.5	XXX	7
May 1 - Oct 31	20.0	XXX	XXX	2.0	XXX	4
Boron, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Copper, Total (ug/L)	0.15	0.19	XXX	14.6	18.3	18.3
		Daily Max			Daily Max	
Zinc, Total (ug/L)	1.59	1.95	XXX	153.0	187.0	187
		Daily Max			Daily Max	

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

The EPA Waiver is not in effect.

*Southwest Regional Office*

**PA0097110**, Industrial, SIC Code 4953, **Shade Landfill Inc.**, 1176 No 1 Road, Cairnbrook, PA 15924-8406. Facility Name: Shade Landfill. This existing facility is located in Shade Township, **Somerset County**.

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

The receiving stream(s), Dark Shade Creek (CWF) and Laurel Run (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 .031 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	0.04	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	37.0	140.0	XXX
Total Suspended Solids	XXX	XXX	XXX	23.0	46.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	XXX
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	4.9	10.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Antimony, Total	XXX	XXX	XXX	0.018	0.036	XXX
Boron, Total	XXX	XXX	XXX	13.7	27.4	XXX
Iron, Dissolved	XXX	XXX	XXX	0.53	1.06	XXX
Iron, Total	XXX	XXX	XXX	2.6	5.2	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total	XXX	XXX	XXX	0.45	0.90	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	0.11	0.20	XXX
4,4-DDD (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Phenol	XXX	XXX	XXX	0.015	0.026	XXX
a-Terpineol	XXX	XXX	XXX	0.016	0.033	XXX
Benzoic Acid	XXX	XXX	XXX	0.071	0.12	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
N-Nitrosodiphenylamine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
p-Cresol	XXX	XXX	XXX	0.014	0.025	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

The proposed effluent limits for Outfall 001 are based on a design flow of .031 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.04	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	37.0	140.0	XXX
Total Suspended Solids	XXX	XXX	XXX	23.0	46.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	XXX
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		
Ammonia-Nitrogen	XXX	XXX	XXX	4.9	10.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Antimony, Total	XXX	XXX	XXX	0.018	0.036	XXX
Boron, Total	XXX	XXX	XXX	13.7	27.4	XXX
Iron, Dissolved	XXX	XXX	XXX	0.53	1.06	XXX
Iron, Total	XXX	XXX	XXX	2.6	5.2	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total	XXX	XXX	XXX	0.45	0.90	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	0.11	0.20	XXX
4,4-DDD (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Phenol	XXX	XXX	XXX	0.015	0.026	XXX
a-Terpineol	XXX	XXX	XXX	0.016	0.033	XXX
Benzoic Acid	XXX	XXX	XXX	0.071	0.12	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
N-Nitrosodiphenylamine (ug/L)	XXX	XXX	XXX	0.21	0.33	XXX
p-Cresol	XXX	XXX	XXX	0.014	0.025	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

The proposed effluent limits for Outfall 002 are based on a design flow of .034 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Cobalt, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	3.0	6.0	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
4,4-DDD (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Dieldrin (ng/L)	XXX	XXX	XXX	Report	Report	XXX
Heptachlor Epoxide (ug/L)	XXX	XXX	XXX	Report	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

The proposed effluent limits for Outfall 002 are based on a design flow of .034 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Cobalt, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	3.0	6.0	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
4,4-DDD (ug/L)	XXX	XXX	XXX	0.003	0.004	XXX
Dieldrin (ng/L)	XXX	XXX	XXX	0.03	0.04	XXX
Heptachlor Epoxide (ug/L)	XXX	XXX	XXX	0.0008	0.001	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

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

<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>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	0.75	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	3.0	XXX
Manganese, Total	XXX	XXX	XXX	XXX	2.0	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	0.75	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	3.0	XXX
Manganese, Total	XXX	XXX	XXX	XXX	2.0	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. 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>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	0.75	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	3.0	XXX
Manganese, Total	XXX	XXX	XXX	XXX	2.0	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	0.75	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	3.0	XXX
Manganese, Total	XXX	XXX	XXX	XXX	2.0	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0255335 A-2**, Industrial, SIC Code 4953, **Allegheny Energy Supply Co. LLC**, 800 Cabin Hill Drive, Greensburg, PA 15601. Facility Name: Mitchell FGD Landfill. This existing facility is located in Union Township, **Washington County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .068 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Max</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Iron, Total	XXX	XXX	XXX	3.5	7.0	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



The proposed effluent limits for Outfall 007 are based on a design flow of .068 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Max</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Cobalt, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	3.5	7.0	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of .068 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Max</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total (ug/L)	XXX	XXX	XXX	10.0	15.7	XXX
Boron, Total	XXX	XXX	XXX	1.6	2.5	XXX
Cobalt, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	3.5	7.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	1.6	XXX

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PAI136144, MS4, Borough of Dormont Stormwater Authority and Borough of Dormont**, 1444 Hillsdale Avenue, Suite 10, Pittsburgh, PA 15216-2091.

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 Dormont Borough, **Allegheny County**. The receiving stream(s), Unnamed Tributary to Sawmill Run, is located in State Water Plan watershed 20-F and is classified for 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.

*Southwest Regional Office*

**PA0214396**, Storm Water, SIC Code 5052, **Three Rivers Marine & Rail Terminal LLC**, 107 Pennsylvania Avenue, P.O. Box 100, Dunlevy, PA 15432-0100. Facility Name: Three Rivers Marine & Rail Glassport Facility. This existing facility is located in Glassport Borough, **Allegheny County**.

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

The receiving stream(s), Monongahela River (WWF), is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	50.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	50.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

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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: **Core5 Industrial Partners, c/o Brian Reisinger**

Applicant Address: 1250 N. Mountain Road, Harrisburg, PA 17112

Application Number: **PAD390269**

Application Type: New

Municipality/County: Lowhill Township, **Lehigh County**

Project Site Name: Core5 at Route 100

Total Earth Disturbance Area (acres): 14.13 acres

Surface Waters Receiving Stormwater Discharges: Tributary to Jordan Creek (aka Cherith Brook) (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 proposed improvements include constructing a new ±100,569 SF warehouse, associated parking, stormwater management facilities, utility connections/stubs, etc.

Special Conditions: See Part C of the Draft Permit including Riparian Buffer Implementation Requirements & Potential Impacts to EV Wetlands

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

*Northeast Regional Office*

Applicant: **JLM Real Estate Investments, LLC**

Applicant Address: 950 E. Main Street, P.O. Box 472, Schuylkill Haven, PA 17972-0472

Application Number: **PAD350049**

Application Type: New

Municipality/County: Covington Township, **Lackawanna County**

Project Site Name: Daleville Dollar General and Auto Zone

Total Earth Disturbance Area (acres): 3.02 acres

Surface Waters Receiving Stormwater Discharges: Roaring Brook (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: To construct two new commercial businesses, associated parking areas, connection to an existing sewer line, new wells and stormwater management BMPs.

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: **New Tripoli Bank, c/o Kate Hart Zayaitz**

Applicant Address: 6748 Madison Street, New Tripoli, PA 18066-3944

Application Number: **PAD390040**

Application Type: Renewal

Municipality/County: North Whitehall Township, **Lehigh County**

Project Site Name: Parkland Pointe

Total Earth Disturbance Area (acres): 20.43 acres

Surface Waters Receiving Stormwater Discharges: UNT to Mill Creek (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 construction of 23 single family detached dwellings on an internal roadway system with associated grading, utilities, storm sewer, and storm sewer management facilities.

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

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

*Southeast Regional Office*

Applicant: **PennDOT Engineering District 6-0**

Applicant Address: 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525

Application Number: **PAD150314**

Application Type: New

Municipality/County: London Britain Township and Franklin Township, **Chester County**

Project Site Name: SR 0896 Safety Project

Total Earth Disturbance Area (acres): 37.96 acres

Surface Waters Receiving Stormwater Discharges: Big Elk Creek (HQ, TSF), Christina 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 project consists of five miles of safety improvements. 70% of the project length is overlay with minor shoulder widening. There are 7 areas of pavement reconstruction for safety improvements including construction of a roundabout at the SR 896 and SR 841 intersection.

Special Conditions: N/A

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

*Southeast Regional Office*

Applicant: **Pennsylvania Department of Transportation**

Applicant Address: 400 North Street, 8th Floor, Harrisburg, PA 17105

Application Number: **PAD150178 A-1**

Application Type: Major Amendment

Municipality/County: City of Coatesville, **Chester County**

Project Site Name: Coatesville Train Station

Total Earth Disturbance Area (acres): 6.34 acres

Surface Waters Receiving Stormwater Discharges: West Branch Brandywine Creek (WWF, 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: Applicant proposes the construction of a new Coatesville Amtrak station—including realignment of Fleetwood Street, new rider platforms, and a surface parking lot. Major Amendment request: Surface parking lot location has been moved to the east. Rain Garden # 2 has been adjusted accordingly, and Rain Garden # 3 has been added south of the surface parking lot and east of Rain Garden # 2.

Special Conditions: N/A

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

*Northeast Regional Office*

Applicant: **Nazareth Borough Municipal Authority**

Applicant Address: 872 Tatamy Road, Nazareth, PA 18064

Application Number: **PAD480210**



Application Type: New

Municipality/County: Lower Nazareth Township, **Northampton County**

Project Site Name: Georgetown Manor Sanitary Sewer Project

Total Earth Disturbance Area (acres): 1.18 acres

Surface Waters Receiving Stormwater Discharges: East Branch Monocacy Creek (HQ-CWF, MF), UNT to East Branch Monocacy Creek (HQ-CWF, MF), and UNT to Schoeneck Creek (WWF, 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 extension of public sewer facilities to serve single family residential properties in the Georgetown Manor and Christian Springs Acres subdivisions.

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.

*Southcentral Regional Office*

Applicant: **MPL SGH Holdings, LLC**

Applicant Address: 1274 Falls Grove Lane, York, PA 17404

Application Number: **PAD670097**

Application Type: New

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

Project Site Name: Scandinavian Forestry Equipment

Total Earth Disturbance Area (acres): 3.89 acres

Surface Waters Receiving Stormwater Discharges: Seaks 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: Commercial facility with on-site outdoor displays and storage areas.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southcentral Regional Office*

Applicant: **MidPenn Estates**

Applicant Address: 4400 Deer Path Road, Suite 2, Harrisburg, PA 17110

Application Number: **PAD670106**

Application Type: New

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

Project Site Name: Somerton Glen

Total Earth Disturbance Area (acres): 5.05 acres

Surface Waters Receiving Stormwater Discharges: Dogwood Run (CWF) via EV Wetlands and UNT to Dogwood Run (CWF) via EV Wetlands

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

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

Project Description: Ten lot single family detached residential subdivision on cul-de-sac street.

Special Conditions: Wetland Monitoring

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Southcentral Regional Office*

Applicant: **Weaverland Valley Authority**

Applicant Address: 4610 Division Highway, East Earl, PA 17519

Application Number: **PAD360034**

Application Type: Renewal

Municipality/County: Terre Hill Borough and East Earl Township, **Lancaster County**

Project Site Name: Weaverland Valley Authority WWTP & Collection and Conveyance System

Total Earth Disturbance Area (acres): 9.48 acres

Surface Waters Receiving Stormwater Discharges: Conestoga River (WWF, MF), Cedar Creek (WWF, MF) and an Unnamed Tributary (UNT) to Black 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: Construction of the WVA Regional Wastewater Treatment Facility (WWTF), the Terre Hill Pump Station, the Frogtown Pump Station and the construction activities for the associated collection and conveyance system.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Northeast Regional Office*

Applicant: **I80-115 C-1 Site, LLC**

Applicant Address: 186 Murphy Run Road, Stroudsburg, PA 18380

Application Number: **PAD450168**

Application Type: New

Municipality/County: Tunkhannock Township, **Monroe County**

Project Site Name: I80-115 C-1 Site, LLC

Total Earth Disturbance Area (acres): 92.5 acres

Surface Waters Receiving Stormwater Discharges: EV Wetlands to Mud Pond Run (EV), EV Wetlands to Tunkhannock Creek (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: Development of a six lot commercial/industrial project, including a donut shop/pizza parlor, pharmacy, two (2) fast food restaurants, convenience store with gas pumps, office building, truck stop/restaurant, and two (2) warehouses, including roads, parking, utilities and stormwater management facilities.

Special Conditions: Installation of monitoring wells to monitor groundwater levels, perform plant species survey and regular re-delineation of wetlands to evaluate potential impacts to EV wetlands as a result of the project.

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

*Southeast Regional Office*

Applicant: **Pennsylvania American Water**

Applicant Address: 852 Wesley Drive, Mechanicsburg, PA 17055-4436

Application Number: **PAD150269 A-1**

Application Type: Major Amendment

Municipality/County: East Vincent Township, **Chester County**

Project Site Name: Lock 57 Water Treatment Plant

Total Earth Disturbance Area (acres): 15.87+1.79 acres

Surface Waters Receiving Stormwater Discharges: Schuylkill River (WWF, 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: Replacement of existing Shady Lane Water Treatment Plant and construction of new water treatment plant. Includes new intake, raw water pumping station, water treatment plant, and transmission main between the two facilities. An additional 1.79 acres of disturbance is being added for contractor laydown area, topsoil stockpile and removal of the existing intake structure.

Special Conditions: N/A

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

*Southeast Regional Office*

Applicant: **Grogan Investment Properties, LP**

Applicant Address: 1595 Paoli Pike, West Chester, PA 19380

Application Number: **PAD150330**

Application Type: New

Municipality/County: Willistown Township, **Chester County**

Project Site Name: 337 Boot Road

Total Earth Disturbance Area (acres): 1.89 acres

Surface Waters Receiving Stormwater Discharges: Trib 00679 to Ridley Creek (HQ, TSF), Trib 00680 to Ridley 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: The applicant is proposing the construction of one single family residential dwelling on 4.0 acres located at 337 Boot Road in Willistown Township, Chester County.

Special Conditions: N/A

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

*Southeast Regional Office*

Applicant: **SBCM, Inc. t/a Short Brothers**

Applicant Address: 121 W. Miner St, Suite 100, West Chester, PA 19382

Application Number: **PAD150326**

Application Type: New

Municipality/County: New Garden Township, **Chester County**

Project Site Name: Thompson Property

Total Earth Disturbance Area (acres): 31.87 acres

Surface Waters Receiving Stormwater Discharges: UNT to West Branch Red Clay 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: Demolish existing agricultural structures and greenhouses, construct 51 new single family lots with related improvements to roadways, sewage pump station, and stormwater facilities.

Special Conditions: N/A

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

*Southcentral Regional Office*

Applicant: **The Giant Company, LLC**

Applicant Address: 1149 Harrisburg Pike, Carlisle, PA 17013

Application Number: **PAD210110**

Application Type: New

Municipality/County: Middlesex Township, **Cumberland County**

Project Site Name: Tender Years Child Development Center

Total Earth Disturbance Area (acres): 2 acres

Surface Waters Receiving Stormwater Discharges: Letort Spring Run (HQ-CWF, MF)

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

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

Project Description: Construction of a childcare facility.

Special Conditions: N/A

You may review the permit application file by contacting DEP's File Review Coordinator at 717-705-4802.

*Northeast Regional Office*

Applicant: **Eagle Rock Resort Company**

Applicant Address: 1 Country Club Road, Hazle Township, PA 18202

Application Number: **PAD540023**

Application Type: New

Municipality/County: North Union Township, **Schuylkill County**

Project Site Name: Eagle Rock AW South AV-1, AV-2, HF-1, HF-2, HF-3, HF-4

Total Earth Disturbance Area (acres): 214.85 acres

Surface Waters Receiving Stormwater Discharges: 1. Tomhicken Creek (CWF, MF) 2. Little Tomhicken Creek (CWF, MF) 3. UNT to Tomhicken Creek (CWF, MF) 4. UNT to Sugarloaf Creek (CWF, MF) 5. Sugarloaf Creek (CWF, MF) 6. Little Crooked Run (CWF, MF) 7. 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: This project consists of the renewal of an existing NPDES permit (PAI025411002(5)), which will include the following sections of Eagle Rock: AW South, AV-1, AV-2, HF-1, HF-2, HF-3, and HF-4. Utility work will also occur between various phases.

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: **Pocono International Raceway, Inc.**

Applicant Address: P.O. Box 500, Long Pond, PA 18334

Application Number: **PAD450194**

Application Type: New

Municipality/County: Tunkhannock Township, **Monroe County**

Project Site Name: Pocono Raceway Fill Site

Total Earth Disturbance Area (acres): 5.13 acres

Surface Waters Receiving Stormwater Discharges: Tunkhannock 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: Fill site to accommodate fill material from maintenance activities elsewhere on the 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.



Northeast Regional Office

Applicant: **PPL Electric Utilities Corporation**

Applicant Address: 1639 Church Road, Allentown, PA 18104

Application Number: **PA450003D**

Application Type: New

Municipality/County: Stroud Township, Smithfield Township and Middle Smithfield Township, **Monroe County**

Project Site Name: PPL Foxhill-Shawnee/Shawnee-Bushkill

Total Earth Disturbance Area (acres): 125.8 acres

Surface Waters Receiving Stormwater Discharges: Cherry Creek (HQ-CWF/MF), Brodhead Creek (CWF, MF), EV Wetland to Candle Creek (EV), Marshalls Creek (HQ-CWF/MF), UNT to Marshalls Creek (HQ-CWF, MF), Shawnee Creek (HQ-CWF, MF), Wetlands to Shawnee Creek (HQ-CWF, MF), Wetlands to Sand Hill Creek (HQ-CWF, MF), Sand Hill Creek (HQ-CWF, MF) and Pond 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: Reconstruction of 10.5 miles of existing transmission lines, including removal and replacement of transmission towers.

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>
Cleason Nolt 401 Elco Dr Myerstown, PA 17067	Lebanon County	15	627.28	Swine	NA	Renewal
GNH Farms LLC Greg Haladay 224 White Church Road Elysburg, PA 17824	Columbia County	710.1	612.13	Swine Poultry Beef Sheep Goat and Horse	HQ	Renewal

<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>
H Lamar and Ruth A Zimmerman 1908 Shumaker Road Manheim, PA 17545	Lancaster County	99.4	442.53	Broilers	NA	Renewal
Risser Mill Farms Dustin Ginder 2537 Risser Mill Road Mount Joy, PA 17552	Lancaster County	11.3	1,070.46	Layers	NA	Renewal

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

*Contact: Daniel J. Cannistraci, Environmental Engineering Specialist.*

**Application No. 0624505**, Construction, Public Water Supply.

Applicant	<b>Kings Academy</b>
Address	1562 Main St Mohrsville, PA 19541
Municipality	Centre Township
County	<b>Berks County</b>

Responsible Official	Michelle Goodman Director 1562 Main St Mohrsville, PA 19541
Consulting Engineer	Daniel S. Hershey Hershey Engineering, Inc. 703 Woodcrest Ave Lititz, PA 17543
Application Received Description	February 19, 2024 This application is for a new nitrate removal system and a new sodium carbonate addition system.

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

**Application No. 2124501**, Construction, Public Water Supply.

Applicant	<b>The Church of Jesus Christ of Latter-Day Saints—Camp Hill/Carlisle</b>
Address	216 Skyline Drive Mechanicsburg, PA 17050
Municipality	Silver Spring Township
County	<b>Cumberland County</b>
Responsible Official	Ryan M. Gundersen 1321 Winona Avenue Morgantown, WV 26505
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA 17401
Application Received Description	February 12, 2024 Construction application for treatment system upgrades.

**Application No. 2124502**, Construction, Public Water Supply.

Applicant	<b>South Middleton Township Municipal Authority</b>
Address	345 Lear Lane Boiling Springs, PA 17007
Municipality	South Middleton Township
County	<b>Cumberland County</b>
Responsible Official	Josephine A. Hall 345 Lear Lane Boiling Springs, PA 17007

Consulting Engineer GHD, Inc.  
225 Grandview Avenue  
Suite 403  
Camp Hill, PA 17011

Application Received March 8, 2024

Description Construction application for the installation of a new 2 million gallon water storage tank and a new booster pump station.

**Application No. 6723521**, Bottled Vended Bulk Retail, Public Water Supply.

Applicant **Express Water LLC**  
Address 6 N School House Road  
Thomasville, PA 17364-9244

Municipality Paradise Township  
County **York County**  
Responsible Official Trevis A. Tyree  
6 N School House Road  
Thomasville, PA 17364-9244

Consulting Engineer Glace Associates, Inc.  
3705 E Trindle Road  
Suite 100  
Camp Hill, PA 17011

Application Received December 1, 2023

Description Application to be a new bulk water hauler.

**Application No. 6724502**, Bottled Vended Bulk Retail, Public Water Supply.

Applicant **Clarity Bottling, LLC**  
Address 251 Factory Street  
Hanover, PA 17331

Municipality Hanover Borough  
County **York County**  
Responsible Official Travis Jones  
251 Factory Street  
Hanover, PA 17331

Consulting Engineer KMJ Engineering  
1036 Woods Lane  
Ambler, PA 19002

Application Received February 6, 2024

Description Permit application for the addition of a finished water source (Temple Spring PWSID 7226564) for the system.

*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.*

**Application No. 0224515**, Construction, Public Water Supply.

Applicant **Findlay Township Municipal Authority**  
Address P.O. Box 409  
Clinton, PA 15026

Municipality Moon Township  
County **Allegheny County**

Responsible Official Jason Orsini  
P.O. Box 409  
Clinton, PA 15026

Consulting Engineer KLH Engineers, Inc.  
5173 Campbells Run Road  
Pittsburgh, PA 15205

Application Received March 1, 2024

Description Construction of the Findlay-Moon Booster Pump Station.

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

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

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

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

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.



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

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

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

*Contact: Eric Supey, Environmental Program Manager.*

**R. Warriner Pad 2**, Primary Facility ID # **858186**, 6365 State Route 3023, Montrose, PA 18801, Dimock Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801 on behalf of Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of production fluid (brine) that was discovered on July 26, 2022. The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on February 8, 2023. Application received: March 3, 2023.

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

*Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.*

**Former Hanover Manufactured Gas Plant**, Primary Facility ID # **773478**, 305 North Franklin Street, Hanover, PA 17331, Hanover Borough, **York County**. GEI Consultants, Inc., 18000 Horizon Way, Suite 200, Mount Laurel, NJ 08054 on behalf of NiSource/Columbia Gas of PA, 121 Champion Way, Canonsburg, PA 15317, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil & groundwater contaminated with VOCs & Metals. The site will be remediated to the site-specific and Statewide health standards. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in *York Daily Record* on February 4, 2024. Application received: February 2, 2024.

**Hess Mills**, Primary Facility ID # **874112**, 6 South Vintage Road, Paradise, PA 17562, Paradise Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Compass Quarries, Inc., 1805 Berks Road, Worcester, PA 19490, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with Used Motor Oil. The site will be remediated to the Statewide health standard. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in *LNP* on February 12, 2024. Application received: February 21, 2024.

**Service Group Properties, Inc.**, Primary Facility ID # **874126**, 325 West Main Street, New Holland, PA 17557, New Holland Borough, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Service Group Properties, LLC, 325 West Main Street, New Holland, PA 17557, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with Leaded Gasoline. The site will be remediated to the Statewide health standard. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in *LNP* on February 12, 2024. Application received: February 21, 2024.

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

*Contact: Charline Bass, AAI, 484-250-5787.*

**Premier Window Cleaning**, Primary Facility ID # **854755**, 2948-2964 East Venango Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. David Berry, The Vertex Companies, LLC, 2501 Seaport Drive, Suite 110, Chester, PA 19013 on behalf of John Zurzolo, Premier Window Cleaning, P.O. Box 8930, Turnersville, NJ 08012, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with petroleum constituents in soil and groundwater. The proposed future use of the site will continue to be a nonresidential multi-tenant, light industrial building. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in *Metro Philadelphia* on February 1, 2024. Application received: February 5, 2024.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

*Contact: Carrie A. Fleming, Program Manager.*

**WMGR003SC002, Post Precision Castings, Inc.**, 21 Walnut Street, Strausstown, PA 19559, Upper Tulpehocken Township, **Berks County**. This is for the renewal of a determination of applicability under WMGR003, which authorizes the beneficial use of spent fired “ceramic” wastes (i.e., colloidal silica) generated from the lost wax casting process by a ferrous metal foundry (Standard Industrial Classification Code 3324), as an aggregate, road base material, pipe bedding material or as a construction material. Application received: February 2, 2024. Deemed administratively complete: March 18, 2024.

Comments or questions concerning the application should be directed to John L. Oren, P.E. Permits Chief, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

*Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMITTS@pa.gov.*

**WMGR081SE010, Sycamore International, Inc.**, 431 W. Baltimore Pike, West Grove, PA 19390, London Grove Township, **Chester County**. This general permit application is for the renewal of the Determination of Applicability (DOA) under the conditions defined within



General Permit No. WMGR081 for the beneficial use of waste electronics at Sycamore International, Inc. Facility, located at 431 W. Baltimore Pike in London Grove Township, Chester County. Application received: November 8, 2023. Deemed administratively complete: January 19, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**WMGR081SE014 (Formerly WMGR081D020), e-Force Compliance, LLC**, 1229 S Napa Street, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. This general permit application is for the renewal of the Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at e-Force Compliance Facility, located at 1229 South Napa Street in the City and County of Philadelphia. Application received: January 16, 2024. Deemed administratively complete: February 21, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**WMGR081SE016 (Formerly WMGR081D008), Elemental, Inc.**, 2371 Church Street, Philadelphia, PA 19124, City of Philadelphia, **Philadelphia County**. This general permit application for the renewal of the Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at Elemental, Inc. facility, located at 2371 Church Street in the City of Philadelphia, Philadelphia County. Application received: October 23, 2023. Deemed administratively complete: November 2, 2023.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**WMGR081SE017 (Formerly WMGR081D021), Tech Collect Pros, LLC**, 416 Green Lane, Bristol, PA 19007, Bristol Borough, **Bucks County**. This general permit application is for the renewal of the Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGR081 for the beneficial use of waste electronics at the Green Lane Facility. Additional information was received on December 28, 2023. The Green Lane Facility is an existing facility located at 416

Green Lane in Bristol Borough, Bucks County. Application received: November 7, 2023. Deemed administratively complete: March 12, 2024.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**WMGR081SE018 (Formerly WMGR081D024), ECOvanta, LLC**, 2209 South 58th Street, Philadelphia, PA 19143, City of Philadelphia, **Philadelphia County**. This general permit application is for the renewal of the existing electronic waste processing General Permit No. WMGR081SE018 (Formerly WMGR081D024) for the beneficial use of waste electronics at the ECOvanta, LLC Facility, located at 2209 South 58th Street, Philadelphia, PA 19143, Philadelphia County. Application received: October 24, 2023. Deemed administratively complete: November 6, 2023.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**WMGR081SE019 (Formerly WMGR081D002A), Abington Reldan Metals, LLC, (dba Reldan)**, 550 Old Bordentown Road, Fairless Hills, PA 19030, Falls Township, **Bucks County**. This general permit application is for the renewal of the existing electronic scrap dismantling operations under General Permit No. WMGR081SE019 (Formerly WMGR081D002A) at the Abington Reldan Metals, LLC (Reldan) NorthPoint Development Facility, located at 550 Old Bordentown Road, Fairless Hills, PA in Falls Township, Bucks County. Application received: October 20, 2023. Deemed administratively complete: November 13, 2023.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department of Environmental Protection (DEP) has developed an integrated plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for DEP, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents

relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

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

#### PLAN APPROVALS

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

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

*Contact: David Balog, New Source Review Section Chief, 814-332-6328.*

**61-00233A: Webco Industries Inc.**, 32 Progress Drive, Reno, PA 16343, Sugar creek Borough, **Venango County**. Application received: February 5, 2024.

Webco submitted a plan approval for their value-added carbon steel tubing facility. This includes sources such as space heaters, cutting lines, formers, and polishers.

#### PLAN APPROVALS

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

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

*Contact: David G. Balog, P.E. New Source Review Section Chief, 814-332-6328.*

**25-00066L: Accuride Erie LP**, 1015 East 12th Street, Erie, PA 16503, City of Erie, **Erie County**. Application received: October 11, 2023. 25-00066L: The Department intends to issue a plan approval to Accuride Erie LP (Accuride Erie, 1015 East 12th Street, Erie, PA 16503), for the replacement of two existing scrubber control devices at their facility in the City of Erie, Erie County. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. Accuride currently operates scrubber control devices on Forge Lines 5 & 6 but wishes to replace one or both with a better performing scrubber design. Operation of Sources 113 (7000 Ton Forge Line 5) and 114 (7000 Ton Forge Line 6) with the existing scrubbers, results in exceedances of their opacity restrictions. This project aims to achieve compliance through one or both scrubber upgrades. Both scrubbers will be upgraded if one alone is incapable of correcting the issue. Emissions are estimated to decrease as a result of this project. The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340. In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. 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 Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [25-00066L] 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, de-



cides 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 Jacob G. Chemsak, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6638. In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

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

*Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.*

**IP23-000270: Philadelphia Marriott Downtown,** 1201 Market Street, Philadelphia, PA 19107, City of Philadelphia, **Philadelphia County.** Application received: September 7, 2023. The City of Philadelphia, Air Management Services (AMS) intends to issue a plan approval for the operation of a hotel. The facility's major emission sources include: one 21 MMBtu/hr dual-fuel fired boiler. The plan approval will contain monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. The plan approval will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed plan approval must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the plan approval or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to [DPHAMS\\_Service\\_Requests@phila.gov](mailto:DPHAMS_Service_Requests@phila.gov) with "Philadelphia Marriott Downtown IP23-000270" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Permit copies and other supporting information are available by contacting the Source Registration Unit at 215-685-7572 or emailing a request to the previously listed email address with the subject line. Individuals in need of accommodations and/or interpretation should contact AMS at [DPHAMS\\_Service\\_Requests@Phila.Gov](mailto:DPHAMS_Service_Requests@Phila.Gov) and/or 215-685-7572. Please include: (1) the name and contact information of the person requesting an accommodation and/or interpretation; (2) the name of the program, service, activity, or location of the request; and (3) a description of the modification and/or interpretation being requested.

*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.*

**46-0040E: Lux Global Label Co LLC d/b/a Multi Color Corp,** 2025 Joshua Rd, Lafayette Hill, PA 19444, Whitmarsh Township, **Montgomery County.** Applica-

tion received: November 16, 2023. This action is for the installation of one (1) combination gravure and flexographic printing press and the removal of one (1) press at the existing printing and labeling manufacturing facility. Volatile Organic Compound (VOC) emissions from the new press will be exhausted to the existing Regenerative Thermal Oxidizer (RTO). The post-control VOC emissions from the new press are less than 1.0 tpy. The requirements of 25 Pa. Code § 129.67a apply to the new press. Lux Global is a minor source of VOC emissions with a facility-wide potential to emit less than 25 tons VOC per year, post-control. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at [RA-EPSEROAQPUBCOM@pa.gov](mailto:RA-EPSEROAQPUBCOM@pa.gov).

### OPERATING PERMITS

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

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

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

**65-00837, Eastern Gas Transmission and Storage, Inc.,** 6814 Route 22 W, Delmont, PA 15626, Salem Township, **Westmoreland County.** Application received: April 13, 2023.

Intent to Issue TVOP Renewal:

65-00837: Eastern Gas Transmission and Storage, Inc./Oakford Compressor Station (6814 Route 22 W, Delmont, PA 15626) In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a permit renewal for the Title V Operating Permit for the continued operation of a natural gas compressor station located in Salem Township, Westmoreland County.

The Oakford Compressor Station is a natural gas compressor station, which is part of a natural gas transmission and storage system. The system processes pipeline quality natural gas.

The main emissions sources at Oakford Station are two (2) boilers, two (2) convective heaters, twelve (12) compressor engines, one emergency air compressor engine, a methanol storage tank, twelve natural gas compressors, one auxiliary generator, one pig launcher, facility fugitive emissions, and facility blowdowns. Each compressor engine without oxygen catalyst (Sources 101, 105—107, and 109—112) is limited to 72.4 tons per year of NO<sub>x</sub>, 36.2 tons per year of CO, and 7.22 tons per year of VOCs. Each compressor engine with oxygen catalyst (Sources 102—104 and 108) is limited to 72.4 tons per year of NO<sub>x</sub>, 15.76 tons per year of CO, and 7.22 tons per year of VOCs. The total CO emissions from all 12 engines is limited to 165 tons per year.

Annual facility-wide potential emissions are 382 tons of CO, 903 tons of NO<sub>x</sub>, 124 tons of VOC, 0.8 ton of SO<sub>x</sub>, 39 tons of PM<sub>10</sub>, 67 tons of total HAPs, and 44 tons of formaldehyde. Annual emission of greenhouse gases is 153,011 tons per year. Sources at the Oakford Compressor

Station are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60 Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional (ICI) Steam Generating Units, 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Part 60, Subpart OOOOc—Emissions Guidelines for Greenhouse Gas Emissions from Existing Crude Oil and Natural Gas Facilities, 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR Part 63 Subpart HHH—National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities, 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, and 25 Pa. Code Chapters 121—145. (Air Resources). The permit includes operational, monitoring, testing, recordkeeping, work practice, and reporting requirements for the plant. The permit incorporates presumptive RACT III requirements.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> and by contacting Tom Joseph, Environmental Engineering Manager, at 412-442-4336 or [tjoseph@pa.gov](mailto:tjoseph@pa.gov).

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Title V Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed operating permit (TVOP-65-00837) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

#### OPERATING PERMITS

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

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

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

**48-00112, Freshpet, Inc.**, 176 North Commerce Way, Bethlehem, PA 18017, Hanover Township, **Northampton County**. Application received: February 8, 2024. The Department intends to issue a renewal State-Only Operating Permit (natural minor) for the Hanover Township facility. Sources at this facility include their boilers and 1.4 MW Cogen system. This also includes a CO oxidation catalyst as a control device. The proposed operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**16-00177, Northwestern Pennsylvania Crematory**, 330 Wood St., Clarion, PA 16214, Monroe Township, **Clarion County**. Application received: November 14, 2022. The Department intends to issue a State Only Operating Permit for the crematory owned and operated by Northwestern Pennsylvania Crematory, Inc. The facility is a Natural Minor. The conditions of the previous plan approval are incorporated into the operating permit. The estimated emissions from the facility are 1.78 tpy Particulate Matter. 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.

*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.*

**09-00183, Donaldson Co Inc.**, 85 Railroad Dr, Ivyland, PA 18974-1478, Northampton Borough, **Bucks County**. Application received: February 15, 2024. The Donaldson Co. Inc.—Ivyland plant manufactures membranes and laminates for various industrial applications at its facility located in Northampton Township (Ivyland Borough) Bucks County. The renewal permit is for a non-Title V (State Only) facility. The permit was initially issued on 4/2/2009 and was renewed on 10/10/2014 and 9/20/2019. The sources of air emissions are the single polytetrafluoroethylene (PTFE) extrusion line (Source ID: 102) and a Durr regenerative thermal oxidizer (RTO) to control volatile organic compounds (VOC) emissions from extrusion and drying operations. The facility's potential to emit VOC is greater than major thresholds; therefore, the facility is a Synthetic Minor. The extrusion process can potentially emit up to 4.4 tons per year of VOCs, after control. The Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at [RA-EPSEROAQUBCOM@pa.gov](mailto:RA-EPSEROAQUBCOM@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 R Patel, P.E., New Source Review Chief, 570-826-2357.*

**48-00085B, Piramal Critical Care Inc.**, 3950 Schelden Circle, Bethlehem, PA 18017, Hanover Township, **Northampton County**. Application received: October 6, 2023. In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Piramal Critical Care Inc. (3950 Sheldon Circle, Bethlehem, PA 18017) for their facility located in Hanover Twp., Northampton County. This Plan Approval No. 48-00085B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date. Plan Approval No. 48-00085B is for approval to operate above the current 126 metric tons per month (MT/month) production limit per Section C, Condition # 006 of State Only Operating Permit (SOOP) 48-00085 and to convert one (1) backup reactor to full production using the existing associated air cleaning device (thermal oxidizer) at the facility. VOC emissions increase from this change is 3.05 tons/year and will remain under 50 TPY, 12-month rolling sum. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 48-00085B 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 Shailesh R Patel, P.E., Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, 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.

Table 1

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

*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. 32150101. NPDES No. PA0279421. Amerikohl Mining, Inc.,** 202 Sunset Drive, Butler, PA 16001, West Wheatfield Township, **Indiana County**. Permit acreage modification on a bituminous surface mine. The 58.4-acre permit area will be reduced to 2.9 acres. Receiving streams: unnamed tributary to/and Roaring Run to Conemaugh River, classified for the following use: CWF. Application received: March 13, 2024.

**Mining Permit No. 32090102. Rosebud Mining Company,** 301 Market Street, Kittanning, PA 16201, Brush Valley Township, **Indiana County**. Permit renewal for reclamation only of a bituminous surface and auger mine affecting 274 acres. Receiving streams: unnamed tributaries to/and Yellow Creek; unnamed tributaries to/and Ferrier Run, classified for the following use: CWF. Application received: March 18, 2024.

**Mining Permit No. 56920114. NPDES No. PA0212334. J & J Svonavec Excavating, Inc.,** 110 Windermere Lane, Somerset, PA 15501, Southampton Township, **Somerset County**. Permit transfer from Mountaineer Mining Corp., 1010 Garrett Shortcut Road, Berlin, PA 15530, for continued operation and restoration of a bituminous surface and auger mine affecting 278.5 acres. Receiving streams: unnamed tributaries to North Branch of Jennings Run, Jennings Run & unnamed tributaries to Jennings Run classified for the following use: CWF. Application received: August 29, 2023. Permit issued: March 19, 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. 33990102. NPDES No. PA0227979. McKay Coal Company, Inc.,** P.O. Box 343, Punxsutawney, PA 15767, Perry Township, **Jefferson County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit. Application received: March 6, 2024.

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

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

**Mining Permit No. 54940201. White Pine Coal Co., Inc.,** P.O. Box 59, Ashland, PA 17921, West Mahanoy Township, **Schuylkill County**. Renew an anthracite coal refuse reprocessing operation for reclamation activities only affecting 56.3 acres. Receiving stream: Mahanoy Creek, classified for the following uses: WWF, MF. Application received: March 11, 2024.

**Mining Permit No. 19930101. Burnrite Coal Company,** 231 Thomas Road, Elyburg, PA 17824, Conyngham and Mt. Carmel Townships, **Columbia and Northumberland Counties**. Renew an anthracite surface mine operation for reclamation activities only affecting 559.1 acres. Receiving stream: North Branch Shamokin Creek, classified for the following uses: CWF, MF. Application received: March 13, 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. 01930302. NPDES No. PA0223239. Specialty Granules, LLC,** 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214, Hamilton Township, **Adams County**. Renewal of NPDES Permit. Receiving streams: unnamed tributaries to Toms Creek, classified for the following uses: HQ-CWF, MF. Application received: March 12, 2024.

**Mining Permit No. 56980301. NPDES No. PA0234991. Keystone Lime Company,** P.O. Box 278, Springs, PA 15562, Addison & Elk Lick Townships, **Somerset County**. Renewal of an NPDES permit Receiving streams: unnamed tributary to/and Christener Run and unnamed tributary to Zehner Run, classified for the following use: HQ-CWF. Application received: March 19, 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. 3072SM3. Allegheny Mineral Corporation**, P.O. Box 1022, Kittanning, PA 16201, Marion Township, Mercer Township, **Butler County**. Major revision to include a road variance to conduct mining and support activities. Application received: March 11, 2024.

**Mining Permit No. 16242801. Ancient Sun, Inc.**, P.O. Box 129, Shippenville, PA 16254, Ashland Township, **Clarion County**. New permit application for a small noncoal operation. Application received: March 15, 2024.

**Mining Permit No. 37860305. NPDES No. PA0212032. Three Rivers Aggregates, LLC**, 321 Currie Road, Slippery Rock, PA 16057, Plain Grove Township, **Lawrence County**. Renewal of an NPDES permit associated with a large noncoal industrial mining permit site. Application received: March 18, 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:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l

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

Alkalinity must always be greater than acidity.

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

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

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

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

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

#### *Coal NPDES Draft Permits*

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

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

**NPDES NO. PA0279901. Mining Permit No. 11230101. RES Coal, LLC**, 51 Airport Road, Clearfield, PA 16830, Cresson Township, **Cambria County**. New NPDES permit affecting 364 acres related to a coal mining activity permit. Receiving stream: Unnamed tributaries to/and Burgoon Run and Unnamed Tributary to Bear Rock Run, classified for the following use: CWF. The receiving streams are included in the Kiski-Conemaugh TMDL. Application received: December 5, 2023.

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

The following outfalls discharge to Burgoon Run:

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

The following outfalls discharge to Unnamed tributaries to Burgoon Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
003	New	Stormwater	Precipitation Induced
006	New	Stormwater	Precipitation Induced
008	New	Treatment Facility	Precipitation Induced

The following outfalls discharge to Unnamed tributary to Bear Rock Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
004	New	Stormwater	Precipitation Induced
005	New	Stormwater	Precipitation Induced
010	New	Treatment Facility	Precipitation Induced

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	1.5	3.0	3.7
Total Manganese (mg/L)	XXX	1.0	2.0	2.5
Total Aluminum (mg/L)	XXX	0.75	0.75	0.75
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**NPDES No. PA0608777. Mining Permit No. 17813024. EnerCorp, Inc.,** 1310 Allport Cutoff, Morrisdale, PA 16858, Bradford Township, **Clearfield County.** Application received: January 24, 2024.

Modification of an existing NPDES permit to increase the upper pH limit of post-mining water treatment system affecting 8.3 acres. Receiving stream(s): Unnamed Tributary to West Branch Susquehanna River, classified for the following use(s): WWF. The Unnamed Tributary is included in the West Branch Susquehanna River Watershed TMDL.

The following outfall discharges to Unnamed Tributary to West Branch Susquehanna River:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Post-Mining Water Treatment	0.02 MGD

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

<i>Outfalls: 001 (All Discharges)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	2.1	4.2	5.2
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	1.6	3.2	4.0
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 10.0 standard units at all times.  
Alkalinity must exceed acidity at all times.

*CORRECTION*—previously published on January 20, 2024.

**NPDES No. PA0128198. Mining Permit No. 17803023. EnerCorp, Inc.,** 1310 Allport Cutoff, Morrisdale, PA 16858, Cooper Township, **Clearfield County.** Application received: December 6, 2023.

Renewal of an NPDES permit for discharge of water resulting from postmining treatment of mine drainage affecting 14 acres. Receiving stream: Basin Run, classified for the following use(s): CWF.



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

The following outfall discharges to Basin Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001 (FTP)	Existing	Treatment Pond Outfall 'FTP'	1,095 GPD

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

<i>Outfalls: 001 (All Discharges)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	2.4	4.8	6.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

pH (S.U.): Must be between 6.0 and 10.0 standard units at all times.

Alkalinity must exceed acidity at all times.

*Noncoal NPDES Draft Permits*

*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.*

**NPDES No. PA0280658. Mining Permit No. 42042804. Richard A. Powell**, 1423 West Kane Road, Kane, PA 16735, Wetmore Township, **McKean County**. Renewal of an NPDES permit for management of water on a small industrial minerals surface mine affecting 15.0 acres. Receiving stream(s) unnamed tributary to West Run classified for the following use: HQ-CWF. Application received: January 31, 2024.

**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-EPEASTERNNOGPRG@pa.gov.*

**E0829224-005. HEP Pennsylvania Gathering, LLC**, 22024 Route 14, Troy, PA 16947, Stevens Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District. Application received: March 14, 2024.

To construct, operate and maintain:

1. a 12-inch steel gas line and a timber mat bridge impacting 10,550 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41.757141°, Longitude: -76.151642°);
2. a 12-inch steel gas line and a timber mat bridge impacting 5,200 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41.756187°, Longitude: -76.150511°);
3. a 12-inch steel gas line and a timber mat bridge impacting 17,400 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41.755824°, Longitude: -76.149809°);
4. a 12-inch steel gas line impacting 53 linear feet (1,007 square feet) to Bennet Creek (WWF, MF), 6,150 square feet of floodway impacts, and 400 square feet of Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41.751237°, Longitude: -76.144053°);

The project will result in 53 linear feet (1,007 square feet) of temporary stream impacts, 6,150 square feet (0.141 acre) of temporary floodway impacts, and 33,550 square feet (0.770 acre) of temporary PEM wetland impacts, all for the purpose of installing a natural gas

pipeline with associated access roadways for Marcellus shale development in Stevens Township, Bradford County.

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

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

**E4502224-003. James Snyder**, 1610 Locust Lane, Pocono Lake, PA 18347, Tobyhanna Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District. Application received: March 6, 2024.

To construct and maintain a 9-foot-wide by 26-foot-long wooden dock, supported by metal posts within the basin of Locust Lake (EV). To construct and maintain a 7-foot-wide by 8-foot-long gravel walkway, to cross an area of wetlands, to access the proposed dock. The project is located at Lot 306, Section H-1 in the Locust Lake Village community (Thornhurst, PA Quadrangle Latitude: 41.144385; Longitude -75.556552) in Coolbaugh Township, Monroe County. Latitude: 41.144385°, Longitude: -75.556552°.

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

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

**E2506224-001. Norfolk Southern Railway Company**, 1200 Peachtree Street NE, Atlanta, GA 30309, Springfield Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: January 25, 2024.

To operate and maintain a 10-foot diameter, 248-foot long steel liner grouted within the 2-foot wide by 12-foot high concrete box stream enclosure and three 262-foot long, 5.5-foot diameter relief culverts with a concrete headwall and soldier pile endwall to the east of the 10-foot diameter pipe, permanently impacting 0.06 acre of watercourse. Construction of the structure was authorized by DEP Emergency Permit No. EP2506223-002. Latitude: 41.983040°, Longitude: -80.403512°.

**E3706223-001. Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, Neshannock Township, **Lawrence County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: December 27, 2023.

To construct and maintain improvements to the existing New Castle Water Treatment Plant including demolition of existing structures, relocation of pump stations

and construction of a new sludge dewatering building, holding tank, and backwash tank impacting approximately 0.38 acre of the mapped FEMA 100-year floodway of the Shenango River and to construct and maintain a 12-inch diameter outfall along the left bank of UNT Shenango River at its confluence with Shenango River. Latitude: 41.017975°, Longitude: -80.362110°.

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

*Contact: 717-705-4802.*

**E2203223-008. Dauphin County Commissioners**, 2 South 2nd Street, 4th Floor, Harrisburg, PA 17101, City of Harrisburg, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 9, 2023.

To: 1) remove the gravel bar located within the channel of Paxton Creek (WWF, MF); to 2) stabilize approximately 500 feet of the streambank of Paxton Creek (WWF, MF) using R-6 rip-rap; and to 3) obtain a General Permit 11 for maintenance on an existing pedestrian bridge. The proposed maintenance includes gravel bar removal and stream bank stabilization within 50 feet upstream and downstream. All proposed impacts for the purpose of restoring natural stream flow in the area, as well as reducing the erosion of the streambank. The project is located where Paxton Creek (WWF, MF) enters into Wildwood Lake (Latitude: 40.316907; Longitude: -76.887229). Permanent wetland impacts are under de minimis threshold and do not require mitigation.

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

*Contact: D. J. Stevenson, 412-442-4281, RA-EPSW-OGSUBMISSION@pa.gov.*

**E3007223-009. UGI Appalachia, LLC**, 300 Woodcliff Drive, Suite 102, Canonsburg, PA 15317, Richhill Township, **Greene County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: November 7, 2023. Latitude: 39.948865°, Longitude: -80.516830°. Quad Name: Majorsville. The Pipeline 1528 Slope Failure Remediation project involves the repair of a slope failure which will result in temporary and permanent impacts to a stream, floodways, and wetlands. The proposed work will include the removal of slope failure debris from the affected resources, and the permanent stabilization of the slope by means of conventional earthwork and high-tension wire mesh pinned with soil nails.

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93 Designation</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>
Stream S001	Floodway	Grading, Soil Nails, Rip Rap terminus	WWF	4,242	1,346
Stream S002	Watercourse—channel	Grading, Rip Rap	WWF	64	624
Stream S002	Floodway	Grading, Soil Nails	WWF	3,366	8,494
Stream S003	Floodway	Temporary Workspace/Riprap drain terminus	WWF	528	224

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93 Designation</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Area Perm. (SF)</i>
Wetland W002	PEM	Temporary Workspace	Other	1,600	
Wetland W003	PEM	Grading	Other		96
Wetland W003	PEM	Erosion and Sediment Control	Other	1,719	
Total Impacts				11,519	10,784

**ENVIRONMENTAL ASSESSMENTS**

*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.*

**D32-076EA. Paul Urbanik, Pennsylvania Fish and Boat Commission**, 595 Rolling Ridge Drive, Bellefonte, PA 16823, Banks Township, **Indiana County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: February 8, 2024.

Applicant proposes to modify Hemlock Lake Dam to meet Dam Safety requirements as a matter of public safety and to maintain a public recreational destination. The proposal is to replace the existing spillway with a labyrinth spillway, replace the toe drain, rehab the control tower, and replace the outlet structure. The project will result in an unavoidable adverse impact to 0.23 acre of PEM wetland. As compensatory mitigation, the applicant will purchase 1.06 wetland mitigation credits from the Pennsylvania Integrated Ecological Services Capacity Enhancement and Support (PIESCES) In Lieu Fee program. The dam is located across a tributary to Straight Run (HQ-CWF, MF) in banks Township, Indiana County, (Rochester Mills, PA Quadrangle, Latitude: 40.8602, Longitude: -78.8867).

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

*Contact: 717-705-4802.*

**EA2203224-001. East Hanover Township**, 369 East Park Drive, Harrisburg, PA 17111, East Hanover Township, **Dauphin County**. U.S. Army Corps of Engineers Baltimore District. Application received: February 20, 2024.

To 1.) re-grade and maintain 793 feet of an unnamed tributary to Manada Creek (WWF, MF) and its floodway; 2.) construct and maintain four (4) cross log vanes; 3.) construct and maintain twelve (12) log vanes; 4.) install and maintain 2 root wad structures totaling 189 feet in length; 5.) place and maintain random boulders along 56 feet of the unnamed tributary to Manada Creek (WWF, MF); and 6.) construct and maintain 100 linear feet of rock boulder revetment in the unnamed tributary to Manada Creek (WWF, MF), all permanent impacting 1.14 acres of palustrine emergent wetlands and all for the purpose of reducing future bank erosion. The project is located immediately upstream of the intersection of Crawford Road and Carlson Road (Latitude: 40.3452°N; Longitude: -76.6842°W) in East Hanover Township, Dauphin County. Wetlands are expected to re-establish at the lower elevation and permanent loss is not anticipated.

**DAM SAFETY**

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

*Contact: Curtis Brown, Chief, Eastern Section, 717-783-7917.*

**D09-000. Pennsylvania Department of Environmental Protection**, 5 West Laurel Boulevard, Pottsville, PA 17901, Solebury Township, **Bucks County**. Application received to restore natural conveyance from the upstream reaches of Primrose Creek, through the former New Hope Crushed Stone Quarry, and into the downstream reaches of Primrose Creek resulting in an overall benefit to the ecological system of the Primrose Creek Watershed. Primrose Creek (WWF, MF), a tributary to the Delaware River, is attaining its designated use, Latitude: 40.378917°, Longitude: -74.97625°. Application received: January 4, 2024.

**ACTIONS**

**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT  
FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at [www.dep.pa.gov/CWPUBLICNOTICE](http://www.dep.pa.gov/CWPUBLICNOTICE).



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

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES\_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES\_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES\_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES\_Permits@pa.gov.

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

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

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

**I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.**

Application Number	Permit Type	Action Taken	Permittee Name & Address	Municipality, County	DEP Office
PA0294241	CAFO Individual NPDES Permit	Issued	Weaver Jesse 1145 Red Bank Road McAlisterville, PA 17049-8235	Fayette Township Juniata County	SCRO
PA300006D	Chapter 102 Individual NPDES Permit	Issued	Peoples Natural Gas Co. LLC 375 North Shore Drive Suite 600 Pittsburgh, PA 15212-5866	Morgan Township Greene County	SWRO
PAD020070	Chapter 102 Individual NPDES Permit	Issued	Action Truck Service Co. Inc. 2545 Railroad Street Pittsburgh, PA 15222-7602	Pittsburgh City Allegheny 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>
PAD060082	Chapter 102 Individual NPDES Permit	Issued	Wawa Inc. 901 S Bolmar Street West Chester, PA 19382-4550	Reading City Berks County	SCRO
PAD140099	Chapter 102 Individual NPDES Permit	Issued	Landpro Equip 1756 Lindquist Drive Falconer, NY 14733-9710	Potter Township Centre County	NCRO
PAD150325	Chapter 102 Individual NPDES Permit	Issued	Delaware Valley Friends School 19 E Central Avenue Paoli, PA 19301-1345	Tredyffrin Township Chester County	SERO
PAD350042	Chapter 102 Individual NPDES Permit	Issued	PNK P3 LLC 500 W Office Center Drive Suite 4023 Fort Washington, PA 19034	Jessup Borough Lackawanna County	NERO
PAD400037	Chapter 102 Individual NPDES Permit	Issued	Mericle 112 Armstrong LLC 100 Baltimore Drive Wilkes-Barre, PA 18702	Pittston Township Luzerne County	NERO
PAD400037	Chapter 102 Individual NPDES Permit	Issued	Mericle 112 Armstrong LLC 100 Baltimore Drive Wilkes-Barre, PA 18702-7955	Pittston Township Luzerne County	NERO
PAD400075	Chapter 102 Individual NPDES Permit	Issued	Bridging Pennsylvania Development I LLC Nova Tower 1 Suite 300 Pittsburgh, PA 15212	White Haven Borough Luzerne County	NERO
PAD450060	Chapter 102 Individual NPDES Permit	Issued	Hirshland & Co. 200 Old Forge Lane Suite 201 Kennett Square, PA 19348-1920	Mount Pocono Borough Monroe County	NERO
PAD520013	Chapter 102 Individual NPDES Permit	Issued	Charles E Peters Estate P.O. Box 151 Bushkill, PA 18324-0151	Lehman Township Pike County	NERO
PAD540036	Chapter 102 Individual NPDES Permit	Issued	Schuylkill County Municipal Authority 221 S Centre Street P.O. Box 960 Pottsville, PA 17901-3506	Schuylkill County	NERO
PAD650043	Chapter 102 Individual NPDES Permit	Issued	Hammond Power Solutions Inc. 11020 Parker Drive Irwin, PA 15642-1634	North Huntingdon Township Westmoreland County	SWRO
PAD670082	Chapter 102 Individual NPDES Permit	Issued	Terra Nova Capital LLC 127 W Market Street Suite 200 York, PA 17401-1355	Hopewell Township York County	SCRO
PA0245577	Industrial Stormwater Individual NPDES Permit	Issued	Janssen Biotech Inc. 200 Great Valley Parkway Malvern, PA 19355-1307	East Whiteland Township Chester County	SERO
PA0255289	Industrial Stormwater Individual NPDES Permit	Denied	B & M Auto Recycling 193 Silvis Road Export, PA 15632-1175	Washington Township Westmoreland County	SWRO
PAS803501	Industrial Stormwater Individual NPDES Permit	Issued	Susquehanna Area Region Airport Authority 1 Terminal Drive Suite 300 Middletown, PA 17057-5045	Lower Swatara Township Dauphin County	SCRO
4201201	Major Industrial Waste Treatment Facility Individual WQM Permit	Issued	American Refinery Group Inc. 77 N Kendall Avenue Bradford, PA 16701-1726	Bradford City McKean County	NWRO

<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>
PA0013081	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Kimberly Clark Corp Front And Avenue Of The States Chester, PA 19013	Chester City Delaware County	SERO
PA0062588	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA American Water Co. 2699 Stafford Avenue Scranton, PA 18505-3608	Jackson Township Luzerne County	NERO
PA0233340	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Cooper Township Municipal Authority Clearfield County P.O. Box 446 Winburne, PA 16879-0446	Rush Township Clearfield County	NCRO
PA0061603	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Eagle Lake Comm Association Inc. P.O. Box 305 Gouldsboro, PA 18424-0305	Covington Township Lackawanna County	NERO
PA0086142	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Washington Township 120 Barto Road Barto, PA 19504-8746	Washington Township Berks County	SCRO
1423201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Cooper Township Municipal Authority P.O. Box 446 Winburne, PA 16879-0446	Rush Township Clearfield County	NCRO
6172412	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Fred C Berlin LLC 6101 Park Road Berwick, PA 18603-5713	Cranberry Township Venango County	NWRO
NOEXSC419	No Exposure Certification	Issued	Cargill Cocoa & Chocolate Inc. 201 W Lincoln Avenue Lititz, PA 17543-1012	Lititz Borough Lancaster County	SCRO
PAG030288	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Abington Reldan Metals LLC 550 Old Bordentown Road Fairless Hills, PA 19030-4510	Falls Township Bucks County	SERO
PAG032268	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Letica Corp 2 Commerce Road Pittston, PA 18640-9508	Pittston Township Luzerne County	NERO
PAG032367	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Hazleton Oil & Environmental Inc. 300 S Tamaqua Street Route 309 S Hazleton, PA 18201	Banks Township Carbon County	NERO
PAG033505	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Highspire Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Lower Swatara Township Dauphin County	SCRO
PAG033594	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Mechanicsburg Terminal DE LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Silver Spring Township Cumberland County	SCRO

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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>
PAG033611	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	48forty Solutions LLC 3177 Biglerville Road Biglerville, PA 17307-9499	Butler Township Adams County	SCRO
PAG033620	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325	Tyrone Township Adams County	SCRO
PAG033657	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	A Duie Pyle Inc. P.O. Box 564 650 Westtown Road West Chester, PA 19381-0564	Antrim Township Franklin County	SCRO
PAG033687	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Richland Partners LLC P.O. Box 659 Douglassville, PA 19518-0659	Palmyra Borough Lebanon County	SCRO
PAG033688	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Richland Partners LLC P.O. Box 659 Douglassville, PA 19518-0659	New Holland Borough Lancaster County	SCRO
PAG033690	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Terre Hill Concrete Products P.O. Box 10 Terre Hill, PA 17581-0010	East Earl Township Lancaster County	SCRO
PAG033697	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Richland Partners LLC P.O. Box 659 Douglassville, PA 19518-0659	West Manchester Township York County	SCRO
PAG033700	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Joe Krentzman & Son Inc. P.O. Box 508 Lewistown, PA 17044-0508	Decatur Township Mifflin County	SCRO
PAG033727	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Joe Krentzman & Son Inc. 311 Wall Street Hollidaysburg, PA 16648-1635	Hollidaysburg Borough Blair County	SCRO
PAG033774	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Rolling Frito Lay Sales LP 22 Beethoven Street Binghamton, NY 13905-4232	Muhlenberg Township Berks County	SCRO
PAG033811	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Greenwood Motor Lines Inc. d/b/a R&L Carriers 600 Gilliam Road Wilmington, OH 45177-9089	North Lebanon Township Lebanon County	SCRO
PAG033828	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	BPG USA 100 N Miller Street Fairfield, PA 17320-9707	Fairfield Borough Adams County	SCRO
PAG033868	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Georgia Pacific Corrugated II LLC 25 Walnut Street Mt Wolf, PA 17347-1906	Mount Wolf Borough York County	SCRO
PAG033918	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Rolling Frito Lay Sales LP 23 Beethoven Street Binghamton, NY 13905-4250	Swatara Township Dauphin County	SCRO
PAG033938	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Penn Mar Castings LLC 500 Broadway Hanover, PA 17331-2001	Hanover Borough York County	SCRO

## 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>
PAG033955	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Terre Hill Concrete Products P.O. Box 10 Terre Hill, PA 17581-0010	East Earl Township Lancaster County	SCRO
PAG033957	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	ADM Milling 811 Spangler Road Camp Hill, PA 17011-5823	Camp Hill Borough Cumberland County	SCRO
PAG033964	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	FedEx Freight Inc. 2200 Forward Drive Dc:2219 Harrison, AR 72601	Lower Swatara Township Dauphin County	SCRO
PAG033988	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Juniata Concrete Co. 721 Smith Road Mifflintown, PA 17059-7456	Oliver Township Perry County	SCRO
PAG033990	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Juniata Concrete Co. 721 Smith Road Mifflintown, PA 17059-7456	Walker Township Juniata County	SCRO
PAG033995	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Juniata Concrete Co. 721 Smith Road Mifflintown, PA 17059-7456	Lewistown Borough Mifflin County	SCRO
PAG034028	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	JGM Fabricators & Constructors LLC 1201 Valley Road Coatesville, PA 19320-2848	Spring Township Berks County	SCRO
PAG035022	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Architectural Precast Innovations Inc. 3369 Paxtonville Road Middleburg, PA 17842-8819	Franklin Township Snyder County	NCRO
PAG035027	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Conestoga Wood Specialties Corp P.O. Box 158 East Earl, PA 17519-0158	Spring Township Snyder County	NCRO
PAG036157	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Chestnut Ridge Foam Inc. 443 Warehouse Drive Latrobe, PA 15650-3573	Derry Township Westmoreland County	SWRO
PAG036189	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Delmont Terminal LLC 900 S Eisenhower Boulevard Middletown, PA 17057-5503	Delmont Borough Westmoreland County	SWRO
PAG036457	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cresson Steel Co. P.O. Box 187 Cresson, PA 16630	Cresson Borough Cambria County	SWRO
PAG038325	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Roser Tech Inc. 347 E Industrial Drive Titusville, PA 16354-7805	Titusville City Crawford County	NWRO
PAG038355	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Buffalo & Pittsburgh RR Inc. 47849 Papermill Road Coshocton, OH 43812-9724	Bell Township Jefferson County	NWRO
PAG038389	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ellwood National Crankshaft Service 303 Llodio Drive Hermitage, PA 16148-9017	Hermitage City Mercer County	NWRO



## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG038483	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Allegheny Wood Products International Inc. P.O. Box 867 Petersburg, WV 26847-0867	Washington Township Clarion County	NWRO
PAG038533	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Buffalo & Pittsburgh RR Inc. 47849 Papermill Road Coshocton, OH 43812-9724	Butler Township Butler County	NWRO
PAG041269	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Saber Scott 1701 Jackson Avenue Warren, PA 16365	Glade Township Warren County	NWRO
PAG041273	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Brinling Jack 7928 E Lake Road Erie, PA 16511-1633	Harborcreek Township Erie County	NWRO
PAG041276	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Kersey John 5495 Jackson Run Road Warren, PA 16365-8909	Farmington Township Warren County	NWRO
PAG043868	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Patterson Richard M Jr 165 Quail Drive Dillsburg, PA 17019-8505	Upper Frankford Township Cumberland County	SCRO
PAG043931	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Marissa J Seasholtz and Thomas J Regan II 2402 Elizabeth Avenue Temple, PA 19560-9716	Muhlenberg Township Berks County	SCRO
PAG048975	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Deacon Alexander 640 Ridge Road Pittsburgh, PA 15205-9500	Summerhill Township Crawford County	NWRO
PAG048989	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Montini Daniel 969 Buxton Road Titusville, PA 16354-8123	Cherrytree Township Venango County	NWRO
PAG049178	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Martin John E 4312 Neptune Drive Erie, PA 16506-3650	Columbus Township Warren County	NWRO
PAG049260	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Donald and Tina Baker 952 Fowler Brk Eldred, PA 16731-3028	Eldred Township McKean County	NWRO
PAG049589	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Justin and Lindsey Kramer 2603 Ludwick Road Sugar Grove, PA 16350-7215	Farmington Township Warren County	NWRO
PAG049597	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Brenda and Raymond Cooper 103 Colt Lane Warren, PA 16365-4396	Glade Township Warren County	NWRO
PAG088315	PAG-08 General Permit for Beneficial Use of Biosolids	Issued	Fred C Berlin LLC 6101 Park Road Berwick, PA 18603-5713	Cranberry Township Venango County	NWRO
PAG133696	PAG-13 NPDES General Permit for MS4s	Waived	Penn Township Perry County 100 Municipal Building Road Duncannon, PA 17020-1130	Penn Township Perry County	SCRO

<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>
PA0244716	Single Residence STP Individual NPDES Permit	Issued	Anthony P and Susan Laurento 1117 Nobb Hill Drive West Chester, PA 19380-1884	East Bradford Township Chester County	SERO
PA0255149	Single Residence STP Individual NPDES Permit	Issued	Semple Ian L 2436 Henry Road Sewickley, PA 15143-9151	Bell Acres Borough Allegheny County	SWRO
PA0259942	Single Residence STP Individual NPDES Permit	Issued	Nye Steven E 38 Harmon Road Newburg, PA 17240-9115	Upper Mifflin Township Cumberland County	SCRO
PA0259951	Single Residence STP Individual NPDES Permit	Issued	Bradley Jody O 3143 Schellsburg Road Claysburg, PA 16625-8316	Greenfield Township Blair County	SCRO
PA0294080	Single Residence STP Individual NPDES Permit	Issued	Best Collin 492 Kreutz Creek Road York, PA 17406-8060	Hellam Township York County	SCRO
PA0295451	Single Residence STP Individual NPDES Permit	Issued	Beining Paul 123 Britt Lane Butler, PA 16002-8877	Penn Township Butler County	NWRO
1023415	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Beining Paul 123 Britt Lane Butler, PA 16002-8877	Penn Township Butler County	NWRO
2004405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Deacon Alexander 640 Ridge Road Pittsburgh, PA 15205-9500	Summerhill Township Crawford County	NWRO
6217406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Saber Scott 1701 Jackson Avenue Warren, PA 16365	Glade Township Warren County	NWRO
6723404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Best Collin 492 Kreutz Creek Road York, PA 17406-8060	Hellam Township York County	SCRO
WQG01061301	WQG-01 WQM General Permit	Issued	Marissa J Seasholtz and Thomas J Regan II 2402 Elizabeth Avenue Temple, PA 19560-9716	Muhlenberg Township Berks County	SCRO
WQG01210802	WQG-01 WQM General Permit	Issued	Patterson Richard M Jr 165 Quail Drive Dillsburg, PA 17019-8505	Upper Frankford Township Cumberland County	SCRO
WQG018386	WQG-01 WQM General Permit	Issued	Martin John E 4312 Neptune Drive Erie, PA 16506-3650	Columbus Township Warren County	NWRO
WQG018471	WQG-01 WQM General Permit	Issued	Donald and Tina Baker 952 Fowler Brk Eldred, PA 16731-3028	Eldred Township McKean County	NWRO
WQG018601	WQG-01 WQM General Permit	Issued	Montini Daniel 969 Buxton Road Titusville, PA 16354-8123	Cherrytree Township Venango County	NWRO
WQG018757	WQG-01 WQM General Permit	Issued	Justin and Lindsey Kramer 2603 Ludwick Road Sugar Grove, PA 16350-7215	Farmington Township Warren County	NWRO
WQG018765	WQG-01 WQM General Permit	Issued	Brenda and Raymond Cooper 103 Colt Lane Warren, PA 16365-4396	Glade Township Warren County	NWRO
WQG02482303	WQG-02 WQM General Permit	Issued	Forks Township Northampton County 1606 Sullivan Trail Easton, PA 18040-8332	Forks Township Northampton County	NERO

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**II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.**


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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>
PAC540064	PAG-02 Renewal	Issued	Schuylkill Economic Development Corporation Attn: Frank Zukas 1 Progress Circle Suite 200 Pottsville, PA 17901	Cass Township Schuylkill County	Schuylkill County Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742 RA-EPWW-NERO@ pa.gov
PAC010234A-1	PAG-02 General Permit	Issued	John J. Burdis, LLC 1850 Carlisle Pike Hanover, PA 17331	Oxford Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC670656	PAG-02 General Permit	Issued	Sheetz Inc 351 Sheetz Way Claysburg, PA 16625	East Manchester Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670365A-1	PAG-02 General Permit	Issued	Harley-Davidson Motor Company Operations Inc 1425 Eden Road York, PA 17402	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Rd Suite 101 Room 139 York, PA 17402 717-840-7430
PAC230278	PAG-02 General Permit	Issued	Chichester School District 401 Cherry Tree Road Aston, PA 19014	Upper Chichester 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
PAC230269	PAG-02 General Permit	Issued	Radnor Rockwell, LLC 124 E. State Street Media, PA 19063	Radnor 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
PAC670203	PAG-02 General Permit	Issued	Nadines Overlook LLC 160 Ram Drive Hanover, PA 17331	Hopewell Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430

## NOTICES

<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>
PAC670282	PAG-02 General Permit	Issued	Stone Ridge Development Corp 1500 Baltimore Street Hanover, PA 17331	Paradise Township York County	York County Conservation District 2401 Pleasant Valley Rd. Suite 101 Room 139 York, PA 17402 717-840-7430
PAC360375	PAG-02 General Permit	Issued	Simeral Construction Company 129 Airport Road Lititz, PA 17543	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC360909	PAG-02 General Permit	Issued	School District of Lancaster 251 South Prince Street Lancaster, PA 17603	Lancaster Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
PAC150363	PAG-02 General Permit	Issued	Emanuel L. Zook 470 Compass Road Parkesburg, PA 19365	West Caln Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150128	PAG-02 General Permit	Issued	Kaolin Mushrooms 649 W South Street Kennett Square, PA 19348	New Garden Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150115	PAG-02 General Permit	Issued	Sadsbury Commons, LP 795 East Lancaster Avenue Suite 200 Villanova, PA 19085	Sadsbury Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150365	PAG-02 General Permit	Issued	Four Brothers Empire, LLC 3015 East Lincoln Highway Parkesburg, PA 19365	West Caln Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov



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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>
PAC150129 A-2	PAG-02 General Permit	Issued	Valley Square Development Associates, LP 321 South Valley Road Devon, PA 19333	Valley Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150378	PAG-02 General Permit	Issued	William MacCauley III 4333 Steelville Road Atglen, PA 19310	West Fallowfield Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150372	PAG-02 General Permit	Issued	Starkman Properties LLC 1939 Route 70 East Suite 210 Cherry Hill, NJ 08003	East Pikeland Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150303 A-1	PAG-02 General Permit	Issued	East Bradford Township 676 Copeland School Road West Chester, PA 19382	East Bradford Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC150369	PAG-02 General Permit	Issued	Westwood Ridge Land Development, LLC 2958 Lincoln Highway Sadsburyville, PA 19369	Valley Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC090580 A1	PAG-02 General Permit	Issued	Triple Net Investments et al. 171 State Route 173 Suite 201 Asbury, NJ 08802-8965	West Rockhill Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov
PAC090222	PAG-02 General Permit	Issued	Spring Mill Associates, LP 409 Stenton Avenue Flourtown, PA 19031	Northampton Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 RA-EPNPDES_SERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC370080	PAG-02 General Permit	Issued	Measel Bruce Limited Partnership 3001 Wilmington Road New Castle, PA 16105	Neshannock Township Lawrence County	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAC100323	PAG-02 General Permit	Issued	Penn Partners Development LLC 109 Gateway Avenue Suite 202 Wexford, PA 15090	Penn Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC250212	PAG-02 General Permit	Issued	Westminster Development LLC 2601 West 26th Street Erie, PA 16506	Millcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250210	PAG-02 General Permit	Issued	Erie Veterans Affairs Medical Center 135 West 38th Street Erie, PA 16504	City of Erie Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC010016A-6	PAG-02 General Permit	Issued	Hanover Retail Holdings, LLC 2498 East Market Street York, PA 17402	Berwick Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
PAC040034A-4	PAG-02 General Permit	Issued	Pennsylvania Turnpike Commission 700 S. Eisenhower Blvd. Middletown, PA 17057	North Sewickley Township and Big Beaver Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC630317	PAG-02 General Permit	Issued	QF Holdings 100 Lindley Rd. Canonsburg, PA 15317	North Strabane Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC040128A-1	PAG-02 General Permit	Issued	US Army Corps of Engineers 1000 Liberty Ave. Suite 2100 Pittsburgh, PA 15222	Potter Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC040134A-1	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	North Sewickley Township and Ellwood City Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAC630272	PAG-02 General Permit	Issued	Maronda Homes, LLC 11 Timberglen Dr. Imperial, PA 15317	Cecil Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO

## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC040142	PAG-02 General Permit	Issued	Great Living, LLC 1768 N. Main St. Suite 4 Butler, PA 16001	North Sewickley Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 SWRO
PAD110118	PAG-02 General Permit	Issued	Reppin Realty, LLC 2105 Centennial Dr. Windber, PA 15963	Adams Township Cambria County	Cambria County Conservation District 401 Candlelight Dr. Suite 229 Ebensburg, PA 15931 814-472-2120 SWRO
PAC020996	PAG-02 General Permit	Issued	Columbia Gas of PA 4000 Energy Drive Bridgeville, PA 15017	Bethel Park Borough and Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021037A-1	PAG-02 General Permit	Issued	Venson Lofts Housing, LP 2121 Old Gatesburg Rd. State College, PA 16803	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020941	PAG-02 General Permit	Issued	Piney Fork Wastewater Treatment Plant 5200 West Library Ave. Bethel Park, PA 15102	South Park Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020873A-1	PAG-02 General Permit	Issued	Regional Industrial Development Corporation 267 Kappa Dr. Pittsburgh, PA 15102	Rankin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020181	PAG-02 General Permit	Issued	Merante Properties, LLC 4740 Streets Run Rd. Pittsburgh, PA 15236	West Mifflin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021065	PAG-02 General Permit	Issued	Oakmont Country Club 1233 Hulton Rd. Oakmont, PA 15139	Plum Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021067	PAG-02 General Permit	Issued	PA Department of General Services 1800 Herr Street Harrisburg, PA 17125	Moon Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC021086	PAG-02 General Permit	Issued	Duquesne Light Company 2841 New Beaver Ave. Pittsburgh, PA 15233	Scott Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021046	PAG-02 General Permit	Issued	Pittsburgh Water and Sewer Authority 1200 Penn Ave. Pittsburgh, PA 15222	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020335	PAG-02 General Permit	Issued	The Residences at Poplar, LLC 6026 Hawthorn Dr. Moon Township, PA 15108	Lebanon Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021055	PAG-02 General Permit	Issued	Upper St. Clair Township 1820 McLaughlin Run Rd. Upper St. Clair, PA 15241	Upper Saint Clair Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020356	PAG-02 General Permit	Issued	Tomson, LLC 3287 Sunnyside Rd. Bethel Park, PA 15102	Findlay Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021031	PAG-02 General Permit	Issued	Pike Plan Partners, LP 9365 McKnight Rd. Suite 400 Pittsburgh, PA 15237	Hampton Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021097	PAG-02 General Permit	Issued	Kuhn's Market 537 Rochester Rd Pittsburgh, PA 15237	Bellevue Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021053	PAG-02 General Permit	Issued	PTV 1298, LLC 400 Penn Center Boulevard Building 4 Suite 1000 Pittsburgh, PA 15235	Plum Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020378	PAG-02 General Permit	Issued	Laurel Blair Oaks Partners, LLC 2543 Washington Rd. Building 100 Suite 103 Pittsburgh, PA 15241	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO



<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC021094	PAG-02 General Permit	Issued	Eden Christian Academy 318 Nicholson Rd. Sewickley, PA 15143	Ohio Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC020514	PAG-02 General Permit	Issued	West View Water Authority 210 Perry Highway Pittsburgh, PA 15229	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO
PAC021077	PAG-02 General Permit	Issued	Elizabeth Township 522 Rock Run Rd. Elizabeth, PA 15037	Elizabeth Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 160 Pittsburgh, PA 15219 412-291-8005 SWRO

**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>
Cedar Pine Farms LLC Milton Rotz 1015 Hertiage Lane Shippensburg, PA 17257	Fulton County	1,557	1,804.93	Dairy Cows	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. 4124501MA**, Minor Amendment, Public Water Supply.

Applicant	<b>Hughesville Borough Water Authority</b>
Address	P.O. Box 185 Hughesville, PA 17737
Municipality	Wolf Township
County	<b>Lycoming County</b>
Consulting Engineer	Thomas Levine 108 13th Avenue P.O. Box 429 Altoona, PA 50009
Application Received	January 12, 2024
Permit Issued	March 12, 2024
Description	This permit authorizes construction a new Aquastore 0.61 MG Finished Water Storage Tank.

**Construction Permit No. 1724501MA**, Minor Amendment, Public Water Supply.

Applicant	<b>Huston Township Municipal Authority</b>
Address	11837 Bennetts Valley Highway Suite 2 Penfield, PA 15848
Municipality	Huston Township
County	<b>Clearfield County</b>
Consulting Engineer	Christopher Wharton 1004 Lingonier Street Box 853 Latrobe, PA 15650
Application Received	February 14, 2024
Permit Issued	March 18, 2024
Description	This permit authorizes rehabilitation of the existing Penfield finished water storage tank.

*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. 0923516**, Major Amendment, Public Water Supply.

Applicant	<b>Aqua Pennsylvania (Chalfont)</b>
Address	762 W. Lancaster Avenue Bryn Mawr, PA 19010-3402
Municipality	Chalfant Borough Bryn Mawr
County	<b>Bucks County, PA</b>
Consulting Engineer	Mott McDonald 111 Wood Avenue South Iselin, NJ 19010-3402
Application Received	September 25, 2023
Permit Issued	March 11, 2024
Description	Addition of a GAC Filter System and replacing the existing 36" chlorine contact pipe with a new 60" contact pipe.

**Construction Permit No. 1523525**, Major Amendment, Public Water Supply.

Applicant	<b>Willowdale Town Center</b>
Address	629 Unionville Road Kennett Square, PA 19348
Municipality	East Marlborough Township
County	<b>Chester County</b>
Consulting Engineer	Earthres Group, Inc. 6912 Old Easton Road P.O. Box 468 Pipersville, PA 18947-9765
Application Received	December 4, 2023
Permit Issued	March 11, 2024
Description	Modify the PH adjustment chemical used in the existing PWS serving Willowdale.

*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 4123503MA.** PWSID No. **4410156.** **Jersey Shore Area Joint Water Authority**, 1111 Bardo Avenue P.O. Box 5046, Jersey Shore, PA 17740, Anthony Township, **Lycoming County**. Application received: March 6, 2024. Permit Issued: March 18, 2024. This permit authorizes the permittee to operate the change of the coagulation chemical from Polyaluminum Chloride to DelPAC 2020 and operate 2 new Stenner peristaltic chemical feed pumps, Model No. 85MJL5A1STG1, NSF 61 certified and 150-gallon day tank with containment in Anthony Township, Lycoming County.

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

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

**Operation Permit 2221501.** PWSID No. **7220044.** **Susquehanna Area Regional Airport Authority/Harrisburg International Airport**, One Terminal Drive, Suite 300, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**. Application received: March 5, 2024. Permit Issued: March 14, 2024. Partial operation permit for two finished water service pumps for the granular activated carbon upgrade project.

**Operation Permit 7670129.** PWSID No. **7670129.** **The York Water Company**, 130 East Market Street, York, PA 17401, Washington Township, **York County**. Application received: March 13, 2024. Permit Issued: March 14, 2024. Comprehensive operation permit for The York Water Company's Country View Manor Mobile Home Park.

**Construction Permit 0623523.** PWSID No. **3061057.** **New Morgan LDFL Co, Inc. Conestoga Landfill**, 420 Quarry Road, Morgantown, PA 19543, New Morgan Borough, **Berks County**. Application received: September 28, 2023. Permit Issued: March 14, 2024. Construction permit for pH adjustment for lead/copper corrosion control at the Conestoga Landfill.

**Construction/Operation Permit 5024501 MA.** PWSID No. **7500015.** **Penn Township Municipal Authority**, 102 Municipal Building Road, Duncannon, PA 17020, Penn Township, **Perry County**. Application received: January 31, 2024. Permit Issued: March 15, 2024. Construction/operation permit for a well casing extension, pitless adapter, and lockable sanitary well cap for the Sunshine Hills Well No. 2.

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

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

**Construction Permit 0423518.** PWSID No. **5040817.** **Moguls Industries, LLC**, 466 Rochester Road, Zeligonople, PA 16063, New Sewickley Township, **Beaver County**. Application received: February 8, 2024. Permit Issued: March 11, 2024. Installation of a sodium hypochlorite disinfection system to provide 4-log treatment for the Rumors Tavern water system.

**NCWSA Operation Permit 4560395.** PWSID No. **4560395.** **Carrolls Mini Storage, Inc.**, 291 Gilmore Road, Somerset, PA 15501, Somerset Township, **Somerset County**. Application received: March 13, 2024. Permit Issued: March 15, 2024. Approval to operate four new chlorine contact tanks and feed equipment and replacement pressure tank.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

The Department has received the following plans and reports.

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

*Contact: Eric Supey, Environmental Program Manager, 570-826-2511.*

**R. Warriner Pad 2**, Primary Facility ID # **858186**, 6365 State Route 3023, Montrose, PA 18801, Dimock Township, **Susquehanna County**. Resource Environ-



mental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine) that was discovered on July 26, 2022. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

**Diaz Family Pad 2**, Primary Facility ID # **871862**, 288 Ellsworth Drive, Montrose, PA 18801, Bridgewater Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil contaminated with hydraulic fluid. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Falcon Oil Tanker Spill**, Primary Facility ID # **848995**, SR 315 and I-81 Southbound Entrance Ramp Near MM 174, Pittston, PA 18640, Jenkins Township, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Falcon Oil Company, Inc., 1630 Main Street, Blakely, PA 18447, submitted a Final Report concerning remediation of soil and groundwater contaminated with gasoline. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**Former Dixie Cup Facility**, Primary Facility ID # **834348**, 415 South 24th Street, Easton, PA 18042, Wilson Borough, **Northampton County**. Earthres Group, P.O. Box 468, Pipersville, PA 18947, on behalf of Wilson Park, Ltd, 2957 Fairfield Drive, Allentown, PA 18103, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with metals, volatile organic compounds, semi-volatile organic compounds, and polychlorinated biphenyls. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

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

*Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.*

**Former Hanover Manufactured Gas Plant**, Primary Facility ID # **773478**, 305 North Franklin Street, Hanover, PA 17331, Hanover Borough, **York County**. GEI Consultants, Inc., 18000 Horizon Way, Suite 200, Mount Laurel, NJ 08054, on behalf of NiSource/Columbia Gas of PA, 121 Champion Way, Canonsburg, PA 15317, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with VOCs & Metals. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Sharon Hower Project**, Primary Facility ID # **874147**, 142 Vanormer Road, McAlisterville, PA 17049, Fayette Township, **Juniata County**. Bressler's Environmental Service, 2994 East Valley Road, Logonton, PA 17747, on behalf of Ms. Sharon Hower, 142 Vanormer Road, McAlisterville, PA 17049, submitted a Final Report concerning remediation of soil contaminated with No. 2 Heating Oil. 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.*

**Ursinus College**, Primary Facility ID # **648108**, 601 Main Street, Collegetown, PA 19426, Collegetown Borough, **Montgomery County**. Gilbert J. Marshall, PG, Marshall Geoscience, Inc., 170 1st Avenue, Collegetown, PA 19426, on behalf of Robert C. Clothier, Esq., Ursinus College, P.O. Box 1000, Collegetown, PA 19426, submitted a Final Report concerning remediation of groundwater contaminated with No. 2 and No. 6 fuel oil. The Final Report is intended to document remediation of the site to meet the site-specific standards.

**Philmont Country Club—Residential, Northwest of the intersection Tomlinson Road and Philmont Avenue, Huntingdon Valley, PA 19006**, Primary Facility ID # **873018**, Philmont Country Club—Residential, Northwest of the intersection Tomlinson Road and Philmont Avenue, Huntingdon Valley, PA 19006, Lower Moreland Township, **Montgomery County**. Richard Lake, Geo-Technology Associates, Inc., 2405 John Fries Highway, Quakertown, PA 18951, on behalf of Michael Charlton, ESC Philmont, LLC, 5074 Dorsey Hall Drive, Suite 205, Ellicott City, MD 21042, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of soil contaminated with mercury, lead, and arsenic. The Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

**Farabella Property**, Primary Facility ID # **848438**, 2301 Computer Avenue, Willow Grove, PA 19090, Upper Moreland Township, **Montgomery County**. Jeffery A. Smith, PG, Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103, on behalf of Ernest Farabella, EF Precision Group, 3220 Pebblewood Lane, Dresher, PA 19025, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of groundwater contaminated with PCE and TCE. The Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

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

**860 Unit Cooling Tower and Hartranft Street—Point Breeze South Yard**, Primary Facility ID # **854903**, 3144 Passyunk Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Kevin Long, Terraphase Engineering Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540, on behalf of Anne R. Garr, Philadelphia Energy Solutions Refining and Marketing, LLC, 3144 West Passyunk Avenue, Philadelphia, PA 19153, submitted a Final Report concerning remediation of soil and groundwater contaminated with petroleum. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**200 West State Street**, Primary Facility ID # **853178**, 200 West State Street, Doylestown, PA 18901, Doylestown Borough, **Bucks County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142, on behalf of Larry Thomson, Kola, LLC, 16 North Franklin Street, Suite 111, Doylestown, PA 18901, submitted a Final Report concerning remediation of soil contaminated



with gasoline and No. 2 fuel oil. The Final Report 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.*

**Natrona Heights Aldi**, Primary Facility ID # **871133**, 4024 Freeport Road, Natrona Heights, PA 15065, Harrison Township, **Allegheny County**. ECS Mid-Atlantic, LLC, 100 East Kensing Drive, Suite 300, Cranberry Township, PA 16066, on behalf of Aldi, Inc., 6000 North Noah Drive, Saxonburg, PA 16506, submitted a Final Report concerning remediation of soil contaminated with arsenic. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**EQT Bristonia Road Incident**, Primary Facility ID # **874089**, Bristonia Road, Sycamore, PA 15337, Center Township, **Greene County**. SE Technologies, LLC, 500 Mosites Way, Pittsburgh, PA 15205, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated with chloride, aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, zinc. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

**CNX MAJ 18 Well Pad**, Primary Facility ID # **874047**, 672 Dodds Ridge Road, Wind Ridge, PA 15380, Richhill Township, **Greene County**. Penn Environmental & Remediation, 111 Ryan Court, Pittsburgh, PA 15205, on behalf of CNX Gas Company, LLC, 1000 Horizon Vue Energy Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, 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.

**CNX GH 5 Well Pad**, Primary Facility ID # **815280**, 394 Lightner Run Road, Sycamore, PA 15364, Center Township, **Greene County**. Penn Environmental & Remediation, 111 Ryan Court, Pittsburgh, PA 15205, on behalf of CNX Gas Company, LLC, 1000 Horizon Vue Energy Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, 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.

**Olympus Energy Calliope Well Pad**, Primary Facility ID # **871136**, 812 White Cloud Road, New Kensington, PA 15068, Upper Burrell Township, **Westmoreland County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Olympus Energy, LLC, 501 Technology Drive, Suite 1200, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, zinc, benzene, tert-butylbenzene, sec-butylbenzene, cyclohexane, ethylbenzene, isopropylbenzene (cumene), naphthalene, toluene, total, xylenes, trimethylbenzene, 1,2,4-trimethylbenzene, 1,3,5-, 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-methylnaphthalene, phenanthrene, phenol and pyrene. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

**Jones Salvage, Inc.**, Primary Facility ID # **863604**, 760 Atlantic Avenue, Elizabeth, PA 15037, Lincoln Borough, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668, on behalf of Atlantic Industrial Space LLC, 696 McKeesport Road, Elizabeth, PA 15037, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with methyl ethyl ketone, acetone, chloroform, cyclohexane, methyl acetate, acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, pyrene, arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver, and PCBs for soil; 1,1,1-trichloroethane, 1,1-dichloroethane, 1,1-dichloroethene, acetone, chloroform, cis-1,2-dichloroethene, methyl tert-butyl ether (MTBE), tetrachloroethene (PCE), trans-1,2-dichloroethene, trichloroethene (TCE), and vinyl chloride for groundwater. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**USA Clean**, Primary Facility ID # **862093**, 56 Sexton Road, Pittsburgh, PA 15136, McKees Rocks Borough, **Allegheny County**. Langan Engineering & Environmental Services, Inc., 2400 Ansys Drive, Suite 403, Canonsburg, PA 15317, on behalf of Gordon Terminal Service Company, 1000 Agnes Street, McKees Rocks, PA 15136, submitted a Baseline Workplan concerning remediation of soil and groundwater contaminated with VOCs (including chlorinated solvents) and metals. The Baseline Workplan is intended to document remediation of the site to meet the special industrial area provision of Act 2.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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**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).**

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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 reme-

dial 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**R. Warriner Pad 2**, Primary Facility ID # **858186**, 6365 State Route 3023, Montrose, PA 18801, Dimock Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine) that was discovered on July 26, 2022. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: March 13, 2024.

**Former Beltrami/Hazleton Brick Property**, Primary Facility ID # **872132**, Routes 424 and 309, Hazleton, PA 1820, Hazle Township, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of SR 424, LLC, 100 Baltimore Drive, Wilkes-Barre, PA 18702, submitted a Final Report concerning remediation of soil and groundwater contaminated with volatile organic compounds from historic site operations. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 14, 2024.

**Weiler**, Primary Facility ID # **815841**, 1 Weiler Drive, Cresco, PA 18326, Barrett Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Cresco Realty, LLC, 1861 Santa Barbara Drive, Lancaster, PA 17601, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 14, 2024.

**Lehigh Valley International Airport Cargo Ramp**, Primary Facility ID # **871037**, 921 Postal Road, Allen-

town, PA 18109, Hanover Township, **Lehigh County**. JMT Environmental Technologies, 710 Uhler Road, Easton, PA 18040, on behalf of Worldwide Flight Services, 2202 Hangar Road, Allentown, PA 18109, submitted a Final Report concerning remediation of soil contaminated with gasoline. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 15, 2024.

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

*Contact: Jordan, 814-332-6172.*

**Hetrick 4 Conventional Gas Well**, Primary Facility ID # **871199**, Apple Orchard Road, Reynoldsville, PA 15851, Washington Township, **Jefferson County**. Moody & Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Diversified Production, LLC, 125 Industry Road, # 201, Waynesburg, PA 15370, submitted a Final Report concerning remediation of soil contaminated with Aluminum, Barium, Boron, Chloride, Iron, Lithium, Manganese, Selenium, Strontium, Vanadium, and Zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 14, 2024.

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

*Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.*

**Former CNH Industrial America LLC**, Primary Facility ID # **682234**, 36 Maple Street, Belleville, PA 17004, Union Township, **Mifflin County**. TRC Environmental Corporation, 2405 Park Drive, Suite 103, Harrisburg, PA 17110, on behalf of CNH Industrial America LLC, 3301 South Hoover Road, Wichita, KS 67215, submitted a Risk Assessment Report/Cleanup Plan/Final Report concerning remediation of soil and groundwater contaminated with Metals, VOCs and SVOCs. The Report demonstrated attainment of the site-specific standards. Approved: March 12, 2024.

**Janet Fourman Property**, Primary Facility ID # **828163**, 1040 Kathleen Street, Lebanon, PA 17046, North Lebanon Township, **Lebanon County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Ms. Janet Fourman and Ms. Lydia Hidsman, 1040 Kathleen Street, Lebanon, PA 17046, submitted a Final Report concerning remediation of soil and groundwater contaminated with No. 2 Fuel Oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 14, 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.*

**Tyburn and Cedar Phase 3**, Primary Facility ID # **865169**, Tyburn and Cedar Roads, Fairless Hills, PA 19030, Falls Township, **Bucks County**. Christopher Reit-



man, PE, Montrose Environmental, 1140 Valley Forge Road, Phoenixville, PA 19481, on behalf of Kenny Koretsky, Jr., Hope Realty Development LLC, 950 West Trenton Avenue, Suite 775, Morrisville, PA 08057, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with heavy metals and SVOCs. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: February 29, 2024.

**General Aire Systems**, Primary Facility ID # **869012**, 115 North 5th Street, Darby, PA 19023, Darby Borough, **Delaware County**. Shian Knouse, TTI Environmental, Inc., 1253 North Church Street, Moorestown, NJ 08057, on behalf of George Rossi, General Aire Systems; SHR Properties, 115 North 5th Street, Darby, PA 19023, submitted a Final Report concerning remediation of soil and groundwater contaminated with gasoline and unleaded gasoline. The Report did not demonstrate attainment of the Statewide health standards. Issued an administrative deficiency letter: March 1, 2024.

**1399 Piedmont Drive**, Primary Facility ID # **853007**, 1399 Piedmont Drive, Downingtown, PA 19353, West Bradford Township, **Chester County**. James Mulry, 659 Telegraph Road, Coatesville, PA 19320, on behalf of Virginia Feathers, 1399 Piedmont Drive, Downingtown, PA 19335, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: March 8, 2024.

**355 West Market Street**, Primary Facility ID # **867047**, 355 West Market Street, West Chester, PA 19380, West Chester Borough, **Clarion County**. Stephan Huxta, PG, ARM Group, LLC, 515 South Franklin Street, West Chester, PA 19382, on behalf of Gary Toll, 355 West Market Associates, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355, submitted a Final Report concerning remediation of soil contaminated with benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, chrysene, dibenzo[a,h]anthracene, indeno[1,2,3-cd]pyrene, arsenic, lead, and mercury. The Final Report demonstrated attainment of the site-specific standards. Approved: March 8, 2024.

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

**704 Montgomery Avenue Parcel**, Primary Facility ID # **769922**, 704 Montgomery Avenue, Pennsburg, PA 18073, Pennsburg Borough, **Montgomery County**. Christopher M. Kern, PG., Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Timothy Hendricks, Hendricks Group Developers, LLC, 555 South Goddard Boulevard, Unit 445, King of Prussia, PA 19406, submitted a Final Report concerning remediation of groundwater contaminated with benzene, ethylbenzene, cumene, naphthalene, toluene, 1,2,4-trimethylbenzene (1,2,4-TMB), 1,3,5-trimethylbenzene (1,3,5-TMB), xylenes, 1,2-dibromoethane (EDB), 1,2-dichloroethane (EDC), lead. The Final Report Statewide health standards. Approved: March 4, 2024.

**Parkway Plaza**, Primary Facility ID # **868172**, 120 North Adams Street, 130 North Adams Street, and 329 East Gay Street, West Chester, PA 19380, West Chester Borough, **Chester County**. Stephen Huxta, PG, Huxta Environmental LLC, 461 Merlin Road, Phoenixville, PA 19460, on behalf of Eli Kahn, 314 East Chestnut Street Associates, LP, 120 Pennsylvania Avenue, Malvern, PA 19355, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and ground-

water contaminated with VOCs. The Report demonstrated attainment of the site-specific standards. Approved: March 6, 2024.

**38th & Brown Street**, Primary Facility ID # **869026**, 777, 779, 781, 783, 785, 787 North 38th Street; 770, 772, 774 North Dekalb Street; 3716, 3718, 3720, 3722, 3724, 3726 Brown Street, Philadelphia, PA 19104, City of Philadelphia, **Philadelphia County**. Kevin Burns, Batta Environmental Associates, Inc., 6 Garfield Way, Newark, DE 19713, on behalf of Yanique Joyner, Women's Community Revitalization Project, 100 West Oxford Street, Philadelphia, PA 19122, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with PAHs and metals. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: March 1, 2024.

**Lockheed Martin Corporation**, Primary Facility ID # **78937**, 230 Mall Boulevard, King of Prussia, PA 19406, Upper Mifflin Township, **Montgomery County**. Mark Eschbacher, H&K Group, Inc., 2052 Locon Road, Skipack, PA 19474, on behalf of Tony C. Apanavage, Lockheed Martin Corporation, 550 North Hollywood Way, Suite 406, Burbank, CA 91505, submitted a Final Report concerning remediation of groundwater contaminated with tetrachloroethylene. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: March 6, 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.*

**Cambria Iron Works—AOC 3&4&5**, Primary Facility ID # **624398**, 124 Iron Street, Johnstown, PA 15901, City of Johnstown, **Cambria County**. Tetra Tech, Inc., 661 Andersen Drive, Pittsburgh, PA 15220, on behalf of Johnstown Redevelopment Authority, 416 Main Street, Johnstown, PA 15901, submitted a Final Report concerning remediation of soil and groundwater contaminated with arsenic and iron for soil; iron and manganese for groundwater. The Final Report demonstrated attainment of the site-specific standards. Approved: March 5, 2024.

**Colonial Manor Road**, Primary Facility ID # **804708**, 381 Colonial Manor Road, Irwin, PA 15642, North Huntingdon Township, **Westmoreland County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of Colonial Manor Road LLC, 381 Colonial Manor Road, Irwin, PA 15642, submitted a Final Report concerning remediation of soil and groundwater contaminated with 1,1,2,2-tetrachloroethane (1,1,2,2-PCA), tetrachloroethene (PCE), trichloroethene (TCE) and arsenic for soil; PCE and TCE for groundwater. The Final Report demonstrated attainment of the Statewide health and site-specific standards. Approved: March 5, 2024.

**CNX RHL 8 Well Pad**, Primary Facility ID # **856133**, 236 Crabapple Road, Wind Ridge, PA 15380, Richhill Township, **Greene County**. Penn Environmental & Remediation, 111 Ryan Court, Pittsburgh, PA 15205, on behalf of CNX Gas Company, LLC, 1000 Horizon Vue Energy Drive, Canonsburg, PA 15317, submitted a Final Report concern

ing remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: February 20, 2024.

### REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

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

*Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Mohamad Mazid, Chief, Technical Services, E-Mail Address: RA-EPWM-SERO-PERMITS@pa.gov.*

**WMGR081SE011. Retrievr, Inc.,** 2500 Hagey Rd, Souderton, PA 18964, Franconia Township, **Montgomery County**. This permit is for the transfer of ownership of General Permit No. WMGR081SE011 from Curb My Clutter Inc (d/b/a Retrievr, Inc.) to Retrievr, Inc. The facility's name will be kept as Retrievr Inc Facility, it is located at 2500 Hagey Road, Souderton, in Franconia Township, Montgomery County. Application received: January 16, 2024. Transfer issued: March 15, 2024.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMITS@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

*Contact: Waste Management Program Manager.*

**101706. Michael Brothers Hauling, Inc.,** 5331 McAnulty Road, Pittsburgh, PA 15236, Baldwin Township, **Allegheny County**. The Department approved of the Closure Plan, Closure Report and terminated the transfer station permit, as well as approved of the bond release at the request of the permittee. Application received: September 20, 2023. Approved: March 19, 2024.

Persons interested in reviewing the permit may contact Regional Files, 412-442-4000, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

## 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.**

*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.*

**GP3-46-0176, GP-46-0122: Ratoskey & Trainor, Inc./ E Norriton Quarry,** 3201 Potshop Rd, East Norriton, PA 19403-4630, East Norriton Township, **Montgomery County**. This action is for the installation and operation of a portable non-metallic mineral processing plant consisting of a jaw crusher, vibratory screen and conveyors with water spray dust suppression and two associated engines used in powering the jaw crusher and vibratory screen. Application received: February 28, 2024. Issued: March 12, 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.*

**GP5A-04-00752B/AG5A-04-00003B: Pin Oak Energy Partners LLC,** 388 S. Main Street, Suite 401, Akron, OH 44311, Big Beaver Borough, **Beaver County**. On March 12, 2024, Pin Oak Energy Partners LLC (388 S. Main Street, Suite 401, Akron, OH 44311) was issued GP5A-04-00752B/AG5A-04-00003B authorization for change of ownership and continued operations of the previously authorized sources which include: one (1) Cummins at 600 bhp, one (1) natural gas well, one (1) Arrow Compressor engine at 60 bhp, one (1) GPU rated at 1.0 MMBtu/hr, one (1) dehydrator rated at 3.0 MMscfd with a reboiler at 0.2 MMBtu/hr, one (1) 400-bbl produced water storage tank, truck load-out, station fugitives, and blow-downs at their Wall Comp. Station located in Big Beaver Borough, Beaver County. Application received: March 11, 2024. Authorized: March 12, 2024.

**GP3-65-01126C: Curry & Kepple, Inc.,** 126 Ten School Road, New Alexandria, PA 15670, Derry Township, **Westmoreland County**. To authorize the modification from current GP3 permit to allow the installation and operation of new and existing equipment of portable nonmetallic mineral processing equipment including three (3) crushers, one (1) vibration screen, eight (8) conveyors, two (2) vibrating feeders, and four (4) feed hoppers at the Wagner Mine located in Derry Borough, Westmoreland County. Application received: January 31, 2024. Authorized: March 13, 2024.

**GP11-65-01126B: Curry & Kepple, Inc.,** 126 Ten School Road, New Alexandria, PA 15670, Derry Township, **Westmoreland County**. To authorize the modification from current GP11 permit to allow the installation and operation of new and existing equipment of three (3) nonroad diesel-fired engines of various capacities in conjunction with a portable nonmetallic mineral processing plant located in Derry Borough, Westmoreland County. Application received: November 20, 2023. Authorized: March 13, 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.**

*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.*

**09-0027J: Fres-co System USA, Inc.**, 3005 State Rd, Telford, PA 18969-1021, West Rockhill Township, **Bucks County**. This is a Plan Approval Extension for the operation of a new Regenerative Thermal Oxidizer (RTO) on a laminator. Application received: February 29, 2024. Issued: March 12, 2024.

**23-0225: Adelpia Pipeline Marcus Hook**, W Ridge Rd, Marcus Hook, PA 19061, Lower Chichester Township, **Delaware County**. This plan approval extension is for the construction, operation, and maintenance of a new natural gas compressor station and metering station at this location. Application received: January 16, 2024. Issued: March 18, 2024.

**46-0013G: Clemens Food Group/Hatfield Plant**, 2700 Clemens Rd, Hatfield, PA 19440-4202, Hatfield Borough, **Montgomery County**. This action is for a plan approval modification and extension for the installation of twelve (12) new batch smokehouses that use either liquid or natural smoke, a new sausage cooking line, two (2) natural gas-fired hot water heaters and associated control devices. The pressure drop across the six oil mist eliminators (OMEs), Source ID C127, associated with the sausage oven line, Source ID 127 was modified. Application received: February 22, 2024. Issued: March 18, 2024.

**09-0236: Covanta Metals Management**, Portion of KIPC Lot No. 13-51-1 Near Middle Drive, Fairless Hills, PA 19030, Falls Township, **Bucks County**. This action is for an extension of a plan approval for the construction and operation of a non-ferrous metal recovery facility as well as reconfigure the ductwork. Application received: February 2, 2024. Issued: March 7, 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.*

**26-00616A: Laurel Macadam, LLC**, P.O. Box 14004, Pittsburgh, PA 15239, Springhill Township, **Fayette County**. On March 15, 2024, Plan Approval Extension issued to Laurel Macadam, LLC to continue to operate the existing sources which include one (1) Gencor Industries G-250 tph Ultra counterflow drum mixing plant, a bag house rated at 57,099 ACFM, three (3) Insulated hot mix asphalt storage silos at 200 tons each, one (1) heated asphalt cement storage tank 30,000-gallons, one (1) propane heater at 2.0 MMBtu/hr, one (1) 50 tph crusher, plant roadways, and Aggregate handling equipment and stockpiles located at Springhill Township, Fayette County. The applicant requested time for performing stack test and preparing the SOOP application. The new expiration date is September 28, 2024. Application received: February 19, 2024. Issued: March 15, 2024.

**65-00891E: Holcim Solutions and Products US, LLC**, Building 102 Avenue A, Youngwood, PA 15697, Youngwood Borough, **Westmoreland County**. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—

127.46 that the Pennsylvania Department of Environmental Protection (Department) has issued Air Quality Plan Approval PA-65-00891E for the existing polyisocyanurate foam board insulation production at the Youngwood Plant owned and operated by Holcim Solutions and Products US, LLC in Youngwood Borough, Westmoreland County to incorporate Reasonably Available Control Technology (RACT) III requirements. Potential emissions from the sources covered under this plan approval for volatile organic compounds are 54.37 tons per year and therefore subject to RACT III requirements. The Plan Approval has been conditioned to ensure compliance with all applicable rules including emission restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to submit a Title V Operating Permit application in accordance with 25 Pa. Code Subchapter G. In accordance with 25 Pa. Code §§ 129.111—129.115, the Department has made a preliminary determination to approve a RACT III plan and an amendment to the State Implementation Plan (SIP) for the aforementioned facility. The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT III approval for the facility, which are intended to satisfy the requirements for the 1997, 2008, and 2015 National Ambient Air Quality Standard (NAAQS) for ozone. The proposed amendments to the RACT III determination will be incorporated into PA-65-00891E for the facility. The relevant RACT III requirements will be submitted to the EPA as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the 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 amendments to the RACT III determination for this operation that will be submitted to the EPA as a SIP revision: Source ID Source Name VOC RACT III RACT III Citation 110 Saws (9) Presumptive (VOC PTE is <2.7 tpy); Maintain and operate the source in accordance with manufacturer's specifications and good operating practices. 25 Pa. Code § 129.112(c)(2) 111 Misc. Combustion Sources (37) Exempt from RACT III because potential VOC emissions are <1.0 tpy 25 Pa. Code § 129.111(c) 201 Panel Production Presumptive (VOC PTE is <2.7 tpy); Maintain and operate the source in accordance with manufacturer's specifications and good operating practices. 25 Pa. Code § 129.112(c)(2) 202 Warehouse VOC Fugitives Alternative; Case-by-Case RACT analysis required because the source is not subject to a presumptive VOC emissions limitation or requirement under § 129.112; potential VOC emissions are >2.7 tpy. An alternative analysis was not previously approved for the source. The analysis is detailed in the review memo dated January 25, 2024. 25 Pa. Code § 129.114(c) and (d) 203 Storage Tank Fugitives Exempt from RACT III because potential VOC emissions are <1.0 tpy 25 Pa. Code § 129.111(c) 204 Blowing Agent Recirc Loop Components Exempt from RACT III because potential VOC emissions are <1.0 tpy 25 Pa. Code § 129.111(c) Inkjet Printers Exempt from RACT III because potential VOC emissions are <1.0 tpy, 25 Pa. Code § 129.111(c) Parts Cleaning Oven Exempt from RACT III because potential VOC emissions are <1.0 tpy 25 Pa. Code § 129.111(c) C02 Regen Thermal Oxidizer Exempt from RACT III because this source did not commence operation on or before August 3, 2018. There-

fore, it does not meet the applicability criteria of 25 Pa. Code § 129.111 and no RACT III requirements apply. 25 Pa. Code § 129.111(a) Public hearing. A public hearing will be held on March 19, 2024, from 9:30—10:00 a.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To register to speak at a hearing, or to inquire if a hearing will be held, please contact Thomas Joseph at 412-442-4336. The last day to pre-register to speak at the hearing will be March 12, 2024. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled. Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <https://www.dep.pa.gov/About/Regional/SouthwestRegion/Community%20Information/Pages/RACT-III.aspx>. We ask that you contact Thomas Joseph at 412-442-4336 or monitor our website to determine if a hearing will be held. Persons wishing to present testimony at the hearing should contact Thomas Joseph at 412-442-4336 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Mark Gorog, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Persons wishing to file a written protest or provide comments or additional information may submit the information to Mark Gorog, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A 30-day comment period from February 10, 2024 for the submission of comments, protests, and information. Each submission must contain the name, address, and telephone number of the person submitting the comments, identification of the RACT III Plan Approval including the permit number and a concise statement regarding the relevancy of the information or objections to the RACT III Plan. All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made online at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Thomas Joseph, Environmental Engineering Manager, at 412-442-4336 or [tjoseph@pa.gov](mailto:tjoseph@pa.gov). Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Lauren Camarda at 412-442-4203 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs. Application received: December 30, 2023. Issued: March 18, 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.*

**18-00011M: Croda, Inc.**, 8 Croda Way, Mill Hall, PA 17751, Bald Eagle Township, **Clinton County**. The Department has extended the temporary operating period of the plan approval to allow time to complete the shake-down and stack testing of the new emissions control equipment associated with the methyl chloride synthesis area at the Mill Hall Facility. Application received: March 7, 2024. Extension: March 15, 2024. New expiration date: October 4, 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.**

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

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

**62-00162: Elkhorn Gas Processing LLC/Keystone**, 4613 E 91st St, Tulsa, OK 74137-2852, Pleasant Township, **Warren County**. The Department issued the renewal of a Natural Minor Operating Permit to operate a natural gas processing plant. The facility's primary emission sources include a Tri-Ethylene Glycol dehydration unit, combustion emissions for the dehydration unit, a hot oil heater, an 800 HP refrigerant compressor, an emergency generator, potential equipment leaks, product storage tanks and loading. The refrigerant compressor engine is subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Units. The dehydration unit is subject to 40 CFR 63 Subpart HH—NESHAPs from Oil and Natural Gas Production Facilities. Ministerial updates to applicable provisions of 40 CFR 63 Subparts ZZZZ and HH, as well as 40 CFR 60 Subpart KKK, are incorporated. The applicable requirements of 25 Pa. Code Section 129 (Control of VOC Emissions from Conventional Oil and Natural Gas Sources, effective December 2, 2022) are added to the Operating Permit. Application received: January 13, 2023. Issued: March 5, 2024.

*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.*

**46-00121: Lankenau Hospital & Lankenau Institute for Medical Research**, 100 Lancaster Ave, Wynnewood, PA 19096, Lower Merion Township, **Montgomery County**. This action is for the renewal of a non-Title V, Synthetic Minor Operating Permit for the operation of four dual-fired (natural gas and No. 2 oil fired) steam boilers and eight diesel-fired emergency electric generators at Lankenau Hospital & Lankenau Institute for Medical Research. Application received: November 18, 2022. Issued: March 18, 2024.

**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.**



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

*Contact: Shailesh Patel, P.E., Environmental Group Manager.*

**40-00129: Caithness Moxie Freedom Generation Plant**, 960 Holmdel Road, Bldg II, Holmdel, NJ 07733, Salem Township, **Luzerne County**. To amend the facilities existing TV Operating Permit 40-00129 to include Plan Approval 40-00129C. Application received: December 20, 2023. Issued: March 19, 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.*

**03-00027: Keystone-Conemaugh Projects, LLC Keystone Station**, 175 Cornell Rd, Ste 1, Blairsville, PA 15717, Plumcreek Township, **Armstrong County**. In accordance with 25 Pa. Code Sections 129.96—129.100, the Pennsylvania Department of Environmental Protection has issued a significant modification to the Title V Operating Permit. The permit modification incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone. The relevant RACT 2 requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT 2 determinations will be excluded from the SIP submittal. In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second implementation period for Regional Haze, the Department has added a requirement to no longer burn coal after December 31, 2028, for Source 031 and Source 032 (Boiler 1 and 2). Application received: January 5, 2024. Revised: March 14, 2024.

**32-00059: Keystone-Conemaugh Projects, LLC Conemaugh Station**, 175 Cornell Rd, Ste 1, Blairsville, PA 15717, West Wheatfield Township, **Indiana County**. In accordance with 25 Pa. Code Sections 129.96—129.100, the Pennsylvania Department of Environmental Protection has issued a significant modification to the Title V Operating Permit. The permit modification incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone. The relevant RACT 2 requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT 2 determinations will be excluded from the SIP submittal. In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second

implementation period for Regional Haze, the Department has added a requirement to no longer burn coal after December 31, 2028, for Source 031 and Source 032 (Main Boiler 1 and Main Boiler 2). Application received: January 5, 2024. Revised: March 14, 2024.

**32-00055: Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748, Center Township, **Indiana County**. In accordance with 25 Pa. Code Sections 129.96—129.100, the Pennsylvania Department of Environmental Protection has issued a significant modification to the Title V Operating Permit. The permit modification incorporates the provisions and requirements contained in the 40 CFR 52.2065 as RACT 2 for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone. The relevant RACT 2 requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT 2 determinations will be excluded from the SIP submittal. In addition, 40 CFR 51.308(f)(2) of the Regional Haze Rule requires State Implementation Plans to include enforceable emissions limitations, compliance schedules, and other measures that are necessary to make reasonable progress as determined pursuant to 40 CFR 51.308(f)(2)(i)—(iv). To satisfy four-factor analysis requirements related to the second implementation period for Regional Haze, the Department has added a requirement to no longer operate Sources 031—033 after June 30, 2023. Application received: January 5, 2024. Revised: March 14, 2024.

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

*Contact: Maryjoy Ulatowski, Chief, Source Registration, 215-685-9476.*

**OP24-000005: Maryland and Virginia Milk Producers Cooperative Association, Inc.**, 10975 Dutton Road, Philadelphia, PA 19154, Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) administratively amended Operating Permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices for Maryland and Virginia Milk Producers Cooperative Association, Inc. to incorporate a change of ownership. The Synthetic Minor Operating Permit was originally issued on June 12, 2017. Application received: February 5, 2024. Issued: March 12, 2024.

**OP23-000047: The Comcast Center**, 1701 John F. Kennedy Blvd., Philadelphia, PA 19103, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) administratively amended Operating Permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices for the Comcast Center to incorporate a change of ownership. The Natural Minor Operating Permit was originally issued on June 2, 2021. Application received: December 12, 2023. Issued: March 11, 2024.

**OP23-000048: Comcast Technology Center**, 1800 Arch Street, Philadelphia, PA 19103, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) administratively amended

Operating Permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices for the Comcast Technology Center, which was administratively amended to incorporate a change of ownership. The Natural Minor Operating Permit was originally issued on April 29, 2019. Application received: December 12, 2023. Issued: February 7, 2024.

*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.*

**23-00119: Marcus Hook Terminal**, 100 Green St, Marcus Hook, PA 19061-4800, Marcus Hook Borough, **Delaware County**. The significant modification of the TVOP to address RACT requirements for major sources of NO<sub>x</sub> and VOCs for the 2015 ozone NAAQS in accordance with 25 Pa. Code §§ 129.111—129.115. Application received: December 22, 2022. Issued: March 15, 2024.

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

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

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

**42-00061: Dresser Pipeline Solutions**, 41 Fisher Ave., Bradford, PA 16701-1649, City of Bradford, **McKean County**. Authorizes a de minimis increase of PM<sub>10</sub> of 0.000006 tpy; SO<sub>x</sub> of 0.000042 tpy; NO<sub>x</sub> of 0.2924 tpy; VOCs of 0.008455 tpy; and CO of 0.0227 tpy. Increase is due to replacement of emergency generator with a new Kohler Model 20 RCAL 20 kW unit. There have been no other de minimis increases authorized at this location at this time. Section 127.449 allows up to 0.6 tpy PM<sub>10</sub>; 1.6 tpy SO<sub>x</sub>; 1 tpy NO<sub>x</sub>; 1 tpy VOC; and 4 tpy increase per source during the permit term.

### **ACTIONS ON COAL AND NONCOAL APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).**

#### *Coal Permits*

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

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**Mining Permit No. 30841317. NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Morris Townships, **Greene and Washington Counties**. To revise the permit and related NPDES permit for installation of degas boreholes. Application received: July 13, 2023. Accepted: August 7, 2023. Issued: January 5, 2024.

**Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill and Aleppo Townships, **Greene County**. To revise the permit and related NPDES permit to revise alignments of 10L-4 and 11L-4 borehole access roads. Application received: July 28, 2023. Accepted: August 8, 2023. Issued: January 10, 2024.

**Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Aleppo and Richhill Townships, **Greene County**. To revise the permit and related NPDES permit to install two (2) degas boreholes. Application received: August 10, 2023. Accepted: September 11, 2023. Issued: February 5, 2024.

**CORRECTION—previously published on March 16, 2024.**

**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, affecting 23.7 surface acres. 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. 5690-1-1. Croner, Inc.**, P.O. Box 260, Friedens, PA 15541, Brothersvalley Township, **Somerset County**. Permit renewal for reclamation only of a bituminous surface mine affecting 163.0 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: CWF. Application received: January 23, 2024. Renewal issued: March 13, 2024.

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

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 17080105. King Coal Sales, Inc.**, P.O. Box 712, Philipsburg, PA 16866, Morris Township, **Clearfield County**. Approval of a Change of Post-Mining Land Use from forestland to unmanaged natural habitat on an existing bituminous surface coal mine affecting 104.3 acres. Receiving stream(s): Unnamed tributaries to Alder Run and Alder Run classified for the following use(s): CWF. Application received: October 16, 2023. Accepted: October 18, 2023. Issued: March 5, 2024.



*Noncoal Permits*

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

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

**Mining Permit No. 58910301. NPDES Permit No. PA0595454. F.S. Lopke Contracting, Inc.,** 3430 SR 434, Apalachin, NY 13732, Forest Lake Township, **Susquehanna County**. Renew NPDES Permit on a quarry operation. Receiving stream: UNT to Middle Branch Wyalusing Creek. Application received: July 12, 2023. Renewal issued: March 12, 2024.

**Mining Permit No. 40030301. NPDES Permit No. PA0224316. Meckley's Limestone Products, Inc.,** 1543 SR 225, Herndon, PA 17830, Lower Mahanoy and Jordan Townships, **Northumberland County**. Renew NPDES Permit on a quarry operation. Receiving stream: UNT to Fidlers Run and Fidlers Run. Application received: October 16, 2023. Renewal issued: March 12, 2024.

**Mining Permit No. 7373SM1. NPDES Permit No. PA0595683. H & K Group, Inc.,** P.O. Box 196, Skippack, PA 19474, Penn Forest Township, **Carbon County**. Renew NPDES Permit on a quarry operation. Receiving stream: Stony Creek. Application received: October 26, 2023. Renewal issued: March 12, 2024.

**Mining Permit No. 58232516. Jeffrey D. Williams,** 5653 South Weston Road, Kingsley, PA 18826, Brooklyn Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry operation affecting 10.0 acres. Receiving stream: Hop Bottom Creek. Application received: August 4, 2023. Permit issued: March 19, 2024.

**Mining Permit No. 58232516. GP104 Permit No. PAM123031. Jeffrey D. Williams,** 5653 South Weston Road, Kingsley, PA 18826, Brooklyn Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Hop Bottom Creek. Application received: August 4, 2023. Coverage issued: March 19, 2024.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.**

*Blasting Permits*

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

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

**Permit No. 67244101. Valley Rock Solutions, LLC,** P.O. Box 246, Macungie, PA 18062, Manchester Township, **York County**. Construction blasting for Welbourne Reserve Phase 2. Application received: March 9, 2024. Permit issued: March 12, 2024. Expiration date: September 30, 2024.

**Permit No. 36244107. J Roy's, Inc.,** P.O. Box 125, Bowmansville, PA 17507, Manheim Township, **Lancaster County**. Construction blasting for Commercial Crossing. Application received: March 12, 2024. Permit issued: March 14, 2024. Expiration date: March 1, 2025.

**Permit No. 45244103. Holbert Explosives, Inc.,** 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, Middle Smithfield Township, **Monroe County**. Construction blasting for U-Haul Stroudsburg. Application received: March 12, 2024. Permit issued: March 14, 2024. Expiration date: March 12, 2025.

#### **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. 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.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

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

#### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

**Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.**

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

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

**E5929223-006. NFG Midstream Covington LLC,** 6363 Main Street, Williamsville, NY 14221, Delmar Town-

ship and Shippen Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District.

Application received: September 28, 2023. Issued: March 13, 2024.

To construct, operate, and maintain:

1. A temporary road crossing using timber mats and a 8-inch diameter natural gas pipeline impacting 6,418 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland, 880 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 69 linear feet of an unnamed tributary to West Branch Stony Fork (EV) (Tiadaghton, PA Quadrangle 41.682442°, -77.4050786°);

2. A temporary road crossing using timber mats and a 8-inch diameter natural gas pipeline impacting 3,250 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland, 280 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 50 linear feet of an unnamed tributary to West Branch Stony Fork (EV) (Tiadaghton, PA Quadrangle 41.680565°, -77.3967999°);

3. A temporary road crossing using timber mats and a 8-inch diameter natural gas pipeline impacting 752 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland, 248 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Tiadaghton, PA Quadrangle 41.680409°, -77.3965706°).

4. A temporary road crossing using timber mats and an 8-inch diameter natural gas pipeline impacting 1,310 square feet of a palustrine emergent (PEM) wetland (Tiadaghton, PA Quadrangle 41.6804339°, -77.3966649°).

The project will result in 119 linear feet of temporary stream impacts and 13,138 square feet (0.302 acre) of temporary wetland impacts all for the purpose of installing a natural gas pipeline in Delmar and Shippen Township, Tioga County

**E5929223-005. NFG Midstream Covington LLC**, 6363 Main Street, Williamsville, NY 14221, Delmar Township, Chatham Township, and Middlebury Township, **Tioga County**. U.S. Army Corps of Engineers Baltimore District.

Application received: September 27, 2023. Issued: March 13, 2024.

To construct, operate, and maintain:

5. (S18) One 16-inch diameter natural gas pipeline via horizontal directional bore impacting 49 linear feet of Crooked Creek (WWF) (Keeneyville, PA Quadrangle 41.8583°, -77.3337°);

6. (W21) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 3,915 square feet of a palustrine emergent (PEM) wetland (Keeneyville, PA Quadrangle 41.8551°, -77.3372°);

7. (S15) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 78 linear feet of an unnamed tributary to Crooked Creek (WWF) (Keeneyville, PA Quadrangle 41.8548°, -77.3388°);

8. (W17) A temporary road crossing using timber mats impacting 60 square feet of a palustrine emergent (PEM) wetland (Keeneyville, PA Quadrangle 41.8525°, -77.3431°);

9. (W18, W16) A temporary road crossing using timber mats impacting 1,460 square feet of a palustrine emergent (PEM) wetland (Keeneyville, PA Quadrangle 41.8524°, -77.3438°);

10. (W14) A temporary road crossing using timber mats impacting 1,825 square feet of a palustrine emergent (PEM) wetland (Keeneyville, PA Quadrangle 41.8528°, -77.3523°);

11. (W8) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 1,748 square feet of a palustrine emergent (PEM) wetland (Keeneyville, PA Quadrangle 41.8500°, -77.3524°);

12. (S10) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 88 linear feet of an unnamed tributary to Crooked Creek (WWF) (Keeneyville, PA Quadrangle 41.8488°, -77.3542°);

13. S7 A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 85 linear feet of an unnamed tributary to Crooked Creek (WWF) (Keeneyville, PA Quadrangle 41.8480°, -77.3546°);

14. (S8) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 76 linear feet of an unnamed tributary to Crooked Creek (WWF) and 17 linear feet of another unnamed tributary to Crooked Creek (WWF) (Keeneyville, PA Quadrangle 41.8493°, -77.3547°);

15. (S5) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 81 linear feet of an unnamed tributary to Norris Brook (EV) (Keeneyville, PA Quadrangle 41.8344°, -77.3554°);

16. (W5) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 1,152 square feet of a palustrine emergent (PEM) wetland (Keeneyville, PA Quadrangle 41.8343°, -77.3549°);

17. (W3-1) A temporary road crossing using timber mats impacting 78 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Keeneyville, PA Quadrangle 41.8315°, -77.3550°);

18. (S5) A temporary road crossing using timber mats impacting 30 linear feet of an unnamed tributary to Norris Brook (EV) (Keeneyville, PA Quadrangle 41.8307°, -77.3554°);

19. (S5) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 77 linear feet of Norris Brook (EV) (Keeneyville, PA Quadrangle 41.8277°, -77.3542°);

20. (S1B) A temporary road crossing using timber mats impacting 31 linear feet of Baldwin Run (HQ—CWF) (Keeneyville, PA Quadrangle 41.8208°, -77.3526°);

21. (S1A, W1-2) A temporary road crossing using timber mats and a 16-inch diameter natural gas pipeline impacting 56 linear feet of Baldwin Run (HQ—CWF) and 11,357 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Keeneyville, PA Quadrangle 41.8213°, -77.3574°).

The project will result in 668 linear feet of temporary stream impacts, 11,357 square feet (0.261 acre) of permanent wetland impacts and 10,238 square feet (0.235 acre) of temporary wetland impacts all for the purpose of installing a natural gas pipeline in Delmar, Chatham, and Middlebury Township, Tioga County. The permit applicant proposes to participate in the Pennsylvania Integrated Ecological Services, Capacity Enhancement and Support Program.

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

*Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.*

**E0901223-004. Jeffrey S. Bryan**, 554 Strocks Grove Road, Upper Black Eddy, PA 18972, Nockamixon Township, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District.

To the property owner in proposing to install a 25-foot access bridge to cross Beaver Creek (EV) for the purpose of a proposed residential home, resulting in 60 linear feet (6,000 sq ft, 0.13 acre) of permanent watercourse impact, 60 linear feet (3,000 sq ft, 0.06 acre) of permanent floodway impact, and 50 linear feet (1,500 sq ft, 0.03 acre) of permanent wetland impact at 554 Strocks Grove Road, Upper Black Eddy, PA 18972, Bucks County, Nockamixon Township, Pennsylvania (Riegelsville Quadrangle). Latitude: 40.518333°, Longitude: -75.137778°. Application received: March 16, 2023. Permit issued: March 14, 2024.

**E0901223-009. New Britain Township**, 207 Park Avenue, Chalfont, PA 18914, New Britain Township, **Bucks County**. U.S. Army Corps of Engineers Philadelphia District.

To restore and stabilize the stream corridor of an Unnamed Tributary to the Neshaminy Creek West Branch. Water obstruction and encroachment activities are as follows: 1) To excavate within top of bank of Unnamed Tributary to Neshaminy Creek for streambank restoration/stabilization, resulting in 448 linear feet (16,486 sq ft, .38 acre) of permanent watercourse impact. 2) To excavate within top of bank of Unnamed Tributary to Neshaminy Creek for streambank restoration/stabilization, resulting in 895 linear feet (71,063 sq ft, 1.63 acres) of temporary floodway impacts. This project is located near Hampshire and Brittany Drives, Chalfont, PA 18914, New Britain Township, Bucks County (USGS PA Doylestown Quadrangle). Latitude: 40.274320°, Longitude: -75.214021°. Application received: October 11, 2023. Permit issued: March 18, 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.

*Southwest District: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: RA-EPSW-OGSUBMISSION@pa.gov.*

ESCGP # 3 **ESG076323020-00**

Applicant Name **Diversified Prod LLC—NV39HS Well Site**

Contact Person Daniel Frick, (713) 703-0240, dfrick@dgoc.com

Address 185 Bethel Church Road  
City, State, Zip Green Hills, PA 15301  
Township(s) South Franklin Township  
County **Washington County**

Receiving Stream(s) and Classification(s) 001. Lat 40.07874, Long -80.29777, UNT to Tenmile Creek, Ch 93 Class TSF

Application received: December 8, 2023

Issued: March 14, 2024

#### STORAGE TANKS

##### SITE-SPECIFIC INSTALLATION PERMITS

**The Following Storage Tank Site-Specific Installation Permit(s), Under the Authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504 and 6021.1101–6021.1102) and Under 25 Pa. Code Chapter 245, Subchapter C, Have Been Issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.**

SSIP Application No. **24001**

Applicant Name **Jack Rich, Inc.**

Address 617 Altamont Blvd  
City, State, Zip Frackville, PA 17931

County **Schuylkill County**

Municipality Port Carbon Borough

Tank Type Six ASTs storing petroleum products

Tank Capacity 48,000 gallons total

Application Received January 18, 2024

Permit Issued March 13, 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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Fill & Fly of Wind Gap**, Storage Tank Facility ID # **48-28931**, 440 East Moorestown Road, Wind Gap, PA 18091, Plainfield Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Fill & Fly of Wind Gap, LLC, 440 East Moorestown Road, Wind Gap, PA 18091, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting Statewide health standards.

**Uni Mart 44343**, Storage Tank Facility ID # **40-36683**, 901 Wyoming Avenue, Wyoming, PA 18644, Wyoming Borough, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Fuel Up Trucksville, LLC, 10 Nittany Lane, Wilkes-Barre, PA 18702, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting site-specific standards.

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

*Contact: Cherie Campbell, Soils Scientist, 717-705-4705.*

**Sunoco Centerville**, Storage Tank Facility ID # **36-24125**, 520 Centerville Road, Lancaster, PA 17601, East Hempfield Township, **Lancaster County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of 786 KTZ LLC, 13 Talbott Avenue, Timonium, MD 21093-2304, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with Petroleum constituents. The plan is intended to document the remedial actions for meeting nonresidential 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.*

**Aberdeen Sunoco**, Storage Tank Facility ID # **23-41203**, 302 E. Lancaster Ave., Wayne, PA 19087, Radnor Township, **Delaware County**. Claymore Environmental LLC, 650 Germantown Pike, Lafayette Hill, PA 19444, on behalf of Gary Karakelian, 302 E. Lancaster Ave., Wayne, PA 19087, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

*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.*

**GetGo # 3051**, Storage Tank Facility ID # **65-80084**, 4285 State Route 51, Belle Vernon, PA 15012, Rostraver Township, **Westmoreland County**. BJAAM Environmental, Inc., P.O. Box 523, Canal Fulton, OH 44614, on behalf of Giant Eagle, Inc., 31 35th Street, Pittsburgh, PA 15201, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline and diesel fuel. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

**Verizon Stewarton**, Storage Tank Facility ID # **26-81980**, 685 Stewarton Road, Mill Run, PA 15464, Springfield Township, **Fayette County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Verizon, Inc., 966 South Matlack Street, West Chester, PA 19382, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel fuel. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

**Honey Bear Mini Mart # 217**, Storage Tank Facility ID # **11-24175**, 3100 Elton Road, Johnstown, PA 15904, Richland Borough, **Cambria County**. Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146, on behalf of Graft Oil Co, 2561 Memorial Boulevard, P.O. Box 899, Connellsville, PA 15425, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

**ANR # 10**, Storage Tank Facility ID # **02-23321**, 73 East Carson Street, Pittsburgh, PA 15219, City of Pittsburgh, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Desdemona Holdings, LP, 100 Ryan Court, Suite 21, Pittsburgh, PA 15205, submitted a Remedial Action Completion Report concerning remediation of soil contaminated with diesel fuel. The report is intended to document the remedial actions for meeting residential Statewide health standards.

**E.H. Aldrich Water Treatment Plant**, Storage Tank Facility ID # **63-19545**, 60 Elrama Avenue, Elrama, PA 15038, Union Township, **Westmoreland County**. Michael Baker International, Inc., 100 Airside Drive, Moon, PA 15108, on behalf of Pennsylvania American Water, 300 Galley Road, McMurray, PA 15317, submitted a Remedial



Action Plan concerning remediation of soil contaminated with hydrofluorosilicic acid. The plan is intended to document the remedial actions for meeting nonresidential Statewide health 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.*

**Carriage Stop Plaza Sunoco**, Storage Tank Facility ID # **40-38017**, 2500 East End Boulevard, Wilkes-Barre, PA 18702, Plains Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Anup Patel, 2500 East End Boulevard, Wilkes-Barre, PA 18702, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The report demonstrated attainment of the Statewide health standards and was approved by DEP on March 18, 2024.

**Former Shell Service Station (Top Star 127)**, Storage Tank Facility ID # **39-21080**, 318 South Third Street, Coopersburg, PA 18036, Coopersburg Borough, **Lehigh County**. AECOM, 625 West Ridge Pike, Suite E-100,

Conshohocken, PA 19428, on behalf of Shell Oil Products US, 20945 South Wilmington Avenue, Carson, CA 90810, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report was not acceptable to meet the Statewide health standards and was disapproved by DEP on March 18, 2024.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700/717-705-4705.*

*Contact: Cherie Campbell, Soils Scientist.*

**Sunoco Centerville**, Storage Tank Facility ID # **36-24125**, 520 Centerville Road, Lancaster, PA 17601, East Hempfield Township, **Lancaster County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of 786 KTZ LLC, 13 Talbott Avenue, Timonium, MD 21093-2304, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with Petroleum constituents. The plan was not acceptable to meet the nonresidential Statewide health standards and was disapproved by DEP on March 19, 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.*

**Happy Mart**, Storage Tank Facility ID # **02-06684**, 1100 Penn Avenue, Pittsburgh, PA 15221, City of Pittsburgh, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of S&D Oil, Inc., 1100 Penn Avenue, Pittsburgh, PA 15221, submitted a Remedial Action Plan concerning remediation of soil contaminated with unleaded gasoline. The plan was acceptable to meet the nonresidential Statewide health and site-specific standards and was approved by DEP on March 8, 2024.

**Kwik Fill # S0027**, Storage Tank Facility ID # **04-00740**, 530 Fifth Avenue, New Brighton, PA 15066, New Brighton Borough, **Beaver County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Avenue, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil contaminated with unleaded gasoline. The plan was acceptable to meet the residential Statewide health standards and was approved by DEP on March 8, 2024.

**Exit 11 BP**, Storage Tank Facility ID # **63-09708**, 2865 South Bridge Road, Washington, PA 15301, Buffalo Township, **Washington County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15314, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report was acceptable to meet the nonresidential Statewide health standards and was approved by DEP on March 11, 2024.

**7 Eleven # 40273**, Storage Tank Facility ID # **56-81235**, 169 North Plaza Access Road, Somerset, PA 15501, Somerset Township, **Somerset 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 and site-specific standards and was approved by DEP on March 14, 2024.

**SPECIAL NOTICES**

**WATER PROGRAMS**

**FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Any person aggrieved by this action may 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.

**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.**

<i>PROJECT</i>	<i>MUNICIPALITY</i>	<i>COUNTY</i>	<i>ACRES</i>
56080102.1	Shade Township	Somerset	203.5

The work will include the reclamation of ponds, associated ditches, minor erosion, etc. at the Cook Mine site. Letters of interest must be received by Daniel Chverchko (Watershed Manager), 286 Industrial Park Road, Ebensburg, PA 15931, Department of Environmental Protection, no later than 4:00 p.m., Local Time, April 30, 2024, to be considered. Telephone inquiries shall be directed to Daniel Chverchko (Watershed Manager), Cambria District Mining Office, at 814.242.6581 or email at dchverchko@pa.gov.

[Pa.B. Doc. No. 24-435. Filed for public inspection March 29, 2024, 9:00 a.m.]

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E1583223-013. Texas Eastern Transmission, LP, 11 East Superior Street, Suite 125, Duluth, MN 55802. Spring City Borough & Upper Providence Township, Chester County and Montgomery County, U.S. Army Corps of Engineers, Philadelphia District.**

To construct and maintain a 20-inch diameter natural gas pipeline across the Schuylkill River (WWF, MF) via Horizontal Directional Drill. The project also includes the removal of the existing 20-inch natural gas pipeline across the river. The project proposes temporary impacts to approximately 398 linear feet of the Schuylkill River, 3.52 acres of impacts to the floodway, 0.82 acre of impacts to PFO and PEM wetlands (EV), and 0.05 acre of a permanent conversion to a PFO wetland (EV).

The proposed project is located within the Schuylkill River, approximately 850 feet downstream of the Spring City Boat Launch (Phoenixville, PA Quadrangle, Latitude: 40.172553°; Longitude: -75.534734°). in Spring City Borough, Chester County and Upper Providence Township, Montgomery County.

**ACTIVE AND ABANDONED MINE OPERATIONS**

**Act 181 Solicitation Notice.**

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

*Contact: Daniel Chverchko, 814-242-6581 or dchverchko@pa.gov.*

Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following project:

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Bid Opportunity**

**OSM 10(6495)101.1, Abandoned Mine Reclamation Project, West Liberty South # 1, Brady Township, Butler County.** The principal items of work and approximate quantities include: implementation of the erosion and sediment pollution control plan—rock construction entrance, 2 each; implementation of the erosion and sediment pollution control plan—compost filter sock 32” diameter, 672 linear feet; clearing and grubbing, 1 lump

sum; subsurface drains with cleanouts, 1,750 linear feet; grading, 252,589 cubic yards; and planting—tree seedlings, 9,318 each.

This bid issues on April 12, 2024, and bids will be opened on May 9, 2024, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to [www.BidExpress.com](http://www.BidExpress.com). This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Small Diverse Business and Veteran Business Enterprise goals have been set for this project. Contact the Construction Contracts Section at (717) 787-7820 or [RA-ConstructionContr@pa.gov](mailto:RA-ConstructionContr@pa.gov) for more information on this bid.

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-436. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Federal Consistency under the Coastal Zone Management Act; AdvanSix, Inc. Proposed Maintenance Dredging at Frankford Marine Terminal, City of Philadelphia

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C. § 1455(d)(14)), regarding public participation in consistency determinations. The Department of Environmental Protection (Department), Coastal Resources Management Program, has received notice that AdvanSix, Inc. (applicant) is proposing to conduct maintenance dredging at the Frankford Marine Terminal on the Delaware River in the City of Philadelphia (Project).

The applicant is applying to the United States Army Corps of Engineers (USACE) for a 10-year maintenance dredging permit under section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) and section 404 of the Federal Clean Water Act (33 U.S.C. § 1344) at the Frankford Marine Terminal on the Delaware River in the City of Philadelphia. The applicant proposes the authorization of periodic maintenance dredging for a period of 10 years following the issuance of the USACE authorization to maintain a depth of 17 feet below Mean Lower Low Water plus 2 feet of allowable overdredge. For the initial dredging event, the applicant proposes to remove approximately 1,111 cubic yards of dredge material. The applicant further proposes to perform dredging through mechanical means with disposal of the dredge material at Whites Basin Confined Disposal Facility in Logan Township, Gloucester County, NJ.

This Project is subject to Department review for Federal consistency because it is an activity requiring a Federal license or permit and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with section 307 of the CZMA (16 U.S.C. § 1456) and the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR Part 930,

Subpart D (relating to consistency for activities requiring a Federal license or permit), the applicant has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review should be directed to Matthew Walderon, Federal Consistency Coordinator, at (717) 772-2196 or [RA-Fed\\_Consistency@pa.gov](mailto:RA-Fed_Consistency@pa.gov).

The Department will consider all comments received on or before April 15, 2024. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by electronic mail, must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063.

JESSICA SHIRLEY,  
*Interim Acting Secretary*

[Pa.B. Doc. No. 24-437. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Laboratory Accreditation Advisory Committee Meeting Relocation

The Tuesday, April 23, 2024, Laboratory Accreditation Advisory Committee (Committee) meeting that was scheduled for 9 a.m. at the Rachel Carson State Office Building, 4th Floor Training Room, will now be held at 9 a.m. in the Rachel Carson State Office Building, Room 105. Individuals may attend the meeting in person or remotely.

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 "Laboratory Accreditation," then "Laboratory Accreditation 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 Annmarie Beach at [anbeach@pa.gov](mailto:anbeach@pa.gov) or (717) 346-8212.

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. 24-438. Filed for public inspection March 29, 2024, 9:00 a.m.]



## DEPARTMENT OF HEALTH

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the Renal Disease Treatment Act (35 P.S. § 6204), will hold its quarterly public meeting on Friday, April 19, 2024, from 10 a.m. to 12 p.m. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment.

The meeting will be held in the Willow Oak Conference Room 114A, COPA HUB Building, 2525 North 7th Street, Harrisburg, PA 17110. In-person participants are asked to RSVP to Josh Goodling, [josgoodlin@pa.gov](mailto:josgoodlin@pa.gov), (717) 772-2762, by close of business April 12, 2024. Upon arrival, sign in at the front desk in the lobby of the building by 9:45 a.m. to await an escort to the meeting room. The meeting agenda will be posted on the Chronic Renal Disease Program's web site at <https://bit.ly/ChronicRenalAdvisoryCommittee> at least 24 hours prior to the meeting date and time.

or additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Kathy Jo Stence, Director, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

DR. DEBRA L. BOGEN,  
*Acting Secretary*

[Pa.B. Doc. No. 24-439. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Garden of Green Fast Play Game 5236

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the Fast Play lottery game is Pennsylvania Garden of Green ("Garden of Green"). The game number is PA-5236.

2. *Definitions*:

(a) *Authorized retailer* or *retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *GARDEN OF GREEN*: The area in the middle of a Garden of Green lottery game ticket containing either a play symbol or a prize amount that, when a prize amount appears, increases the total prize won by matching any of the play symbols located in the "YOUR NUMBERS" area to any of the play symbols located in the "WINNING NUMBERS" area by the prize amount appearing in the "GARDEN OF GREEN" area. "GARDEN OF GREEN" prizes cannot be won alone.

(d) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The number symbols found in the play area that, when matched against the number symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The number symbols found in the play area that, when matched against the number symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Garden of Green ticket is \$2.

4. *Description of the Garden of Green Fast Play lottery game*:

(a) The Garden of Green lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined and the player does not have the ability to select their own play symbols. Garden of Green tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Garden of Green is played by matching any of the number symbols located in the "YOUR NUMBERS" area to any of the number symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" number symbol. Whenever a player wins a prize in the "YOUR NUMBERS" area and a prize amount appears in the "GARDEN OF GREEN" area, the player adds the amount shown in the "GARDEN OF GREEN" area to the total won in the "YOUR NUMBERS" area and wins that amount. A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).



(d) Garden of Green tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Garden of Green ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Garden of Green ticket and select the Garden of Green option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

#### 5. Garden of Green ticket characteristics:

(a) Garden of Green tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Garden of Green tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "GARDEN OF GREEN" area. The number symbols and their captions located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and prize amounts, and their captions, located in the "GARDEN OF GREEN" area are: Carrot (NOWIN) symbol, Radish (NOWIN) symbol, Corn (NOWIN) symbol, Tomato (NOWIN) symbol, Lettuce (NOWIN) symbol, \$2<sup>.00</sup> (TWO DOL), \$4<sup>.00</sup> (FOR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTEEN), \$20<sup>.00</sup> (TWENTY), \$30<sup>.00</sup> (THIRTY), \$50<sup>.00</sup> (FIFTY) and \$100 (ONE HUN).

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$2<sup>.00</sup> (TWO DOL), \$4<sup>.00</sup> (FOR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTEEN), \$20<sup>.00</sup> (TWENTY), \$30<sup>.00</sup> (THIRTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

(d) *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$500 and \$10,000. For a complete description of how these prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to nine times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 720,000 tickets will be available for sale for the Garden of Green lottery game.

#### 6. Prizes available to be won and determination of prize winners:

(a) All Garden of Green prize payments will be made as one-time, lump-sum cash payments.

(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 \$10,000 (TEN THO) appears in the Prize area under the matching "YOUR NUMBERS" number symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) 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.

(d) Holders of tickets upon which any six of the "YOUR NUMBERS" number symbols match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$100 (ONE HUN) appears in two of the Prize areas and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in four of the Prize areas under the matching "YOUR NUMBERS" number symbols, and upon which a prize amount of \$100 (ONE HUN) appears in the "GARDEN OF GREEN" area, on a single ticket, shall be entitled to a prize of \$500.

(e) 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.

(f) Holders of tickets upon which any one 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, and upon which a prize amount of \$50<sup>.00</sup> (FIFTY) appears in the "GARDEN OF GREEN" area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any five 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 two of the Prize areas, a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in one of the Prize areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in one of the Prize areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in one of the Prize areas under the matching "YOUR NUMBERS" number symbols, and upon which a prize amount of \$5<sup>.00</sup> (FIV DOL) appears in the "GARDEN OF GREEN" area, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which all eight 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 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 under the matching "YOUR NUMBERS" number symbols, and upon which a prize amount of \$10<sup>.00</sup> (TEN DOL) appears in the "GARDEN OF GREEN" area, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which all eight 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 five of the Prize areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in three of the Prize areas under the matching "YOUR NUMBERS" number symbols, and upon which a prize amount of \$10<sup>.00</sup> (TEN DOL) appears in the "GARDEN OF GREEN" area, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any seven of the "YOUR NUMBERS" number symbols match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in four of the Prize areas, a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in two of the Prize areas and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in one of the Prize areas under the matching "YOUR NUMBERS" number symbols, and upon which a





(z) Holders of tickets upon which any one of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$15.00 (FIFTEEN) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, and upon which a prize amount of \$5.00 (FIV DOL) appears in the “GARDEN OF GREEN” area, on a single ticket, shall be entitled to a prize of \$20.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$10.00 (TEN DOL) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, and upon which a prize amount of \$10.00 (TEN DOL) appears in the “GARDEN OF GREEN” area, on a single ticket, shall be entitled to a prize of \$20.

(bb) Holders of tickets upon which any four of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$5.00 (FIV DOL) appears in two of the Prize areas and a prize symbol of \$4.00 (FOR DOL) appears in two of the Prize areas under the matching “YOUR NUMBERS” number symbols, and upon which a prize amount of \$2.00 (TWO DOL) appears in the “GARDEN OF GREEN” area, on a single ticket, shall be entitled to a prize of \$20.

(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 \$15.00 (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.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$10.00 (TEN DOL) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, and upon which a prize amount of \$5.00 (FIV DOL) appears in the “GARDEN OF GREEN” area, on a single ticket, shall be entitled to a prize of \$15.

(ee) 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 \$10.00 (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.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$5.00 (FIV DOL) appears in the Prize area

under the matching “YOUR NUMBERS” number symbol, and upon which a prize amount of \$5.00 (FIV DOL) appears in the “GARDEN OF GREEN” area, on a single ticket, shall be entitled to a prize of \$10.

(gg) Holders of tickets upon which any two of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$4.00 (FOR DOL) appears in two of the Prize areas under the matching “YOUR NUMBERS” number symbols, and upon which a prize amount of \$2.00 (TWO DOL) appears in the “GARDEN OF GREEN” area, on a single ticket, shall be entitled to a prize of \$10.

(hh) Holders of tickets upon which any three of the “YOUR NUMBERS” number symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$2.00 (TWO DOL) appears in all three of the Prize areas under the matching “YOUR NUMBERS” number symbols, and upon which a prize amount of \$4.00 (FOR DOL) appears in the “GARDEN OF GREEN” area, on a single ticket, shall be entitled to a prize of \$10.

(ii) 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 \$5.00 (FIV DOL) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$5.

(jj) 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 \$4.00 (FOR DOL) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$4.

(kk) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” number symbols and a prize symbol of \$2.00 (TWO DOL) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, and upon which a prize amount of \$2.00 (TWO DOL) appears in the “GARDEN OF GREEN” area, on a single ticket, shall be entitled to a prize of \$4.

(ll) 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 \$2.00 (TWO DOL) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$2.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“GARDEN OF GREEN”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
\$2		\$2	9.8	73,440
\$2 × 2		\$4	35.71	20,160
\$2	\$2	\$4	33.33	21,600
\$4		\$4	1,000	720
\$5		\$5	29.24	24,624
\$5 × 2		\$10	333.33	2,160

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"GARDEN OF GREEN":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 720,000 Tickets:</i>
\$2 × 3	\$4	\$10	200	3,600
\$4 × 2	\$2	\$10	181.82	3,960
\$5	\$5	\$10	185.19	3,888
\$10		\$10	500	1,440
\$5 × 3		\$15	1,000	720
\$10	\$5	\$15	250	2,880
\$15		\$15	1,000	720
\$5 × 4		\$20	5,000	144
\$10 × 2		\$20	1,667	432
(\$4 × 3) + (\$2 × 4)		\$20	2,000	360
(\$5 × 2) + (\$4 × 2)	\$2	\$20	1,000	720
\$10	\$10	\$20	500	1,440
\$15	\$5	\$20	1,000	720
\$20		\$20	2,000	360
\$15 × 2		\$30	6,000	120
(\$4 × 5) + (\$2 × 3)	\$4	\$30	3,000	240
(\$5 × 4) + (\$2 × 3)	\$4	\$30	3,000	240
\$10	\$20	\$30	3,000	240
\$10 × 2	\$10	\$30	3,000	240
\$15	\$15	\$30	2,857	252
\$20	\$10	\$30	3,000	240
\$30		\$30	12,000	60
\$10 × 5		\$50	12,000	60
(\$15 × 2) + (\$4 × 4) + (\$2 × 2)		\$50	12,000	60
(\$2 × 5) + \$15 + \$10 + \$5	\$10	\$50	2,000	360
(\$5 × 4) + \$15	\$15	\$50	2,000	360
(\$10 × 3) + (\$4 × 2) + \$2	\$10	\$50	2,000	360
(\$15 × 2) + (\$2 × 5) + \$5	\$5	\$50	2,400	300
\$20	\$30	\$50	6,000	120
\$30	\$20	\$50	6,000	120
\$50		\$50	24,000	30
\$50 × 2		\$100	60,000	12
(\$10 × 4) + (\$4 × 2) + \$2	\$50	\$100	20,000	36
(\$15 × 5) + (\$5 × 3)	\$10	\$100	20,000	36
(\$20 × 2) + (\$10 × 4) + (\$5 × 2)	\$10	\$100	20,000	36
(\$30 × 2) + \$20 + \$10 + \$5	\$5	\$100	20,000	36
\$50	\$50	\$100	20,000	36
\$100		\$100	60,000	12
\$100 × 5		\$500	144,000	5
(\$100 × 2) + (\$50 × 4)	\$100	\$500	144,000	5
\$500		\$500	144,000	5
\$10,000		\$10,000	144,000	5

GARDEN OF GREEN: When there is a winning match in the YOUR NUMBERS area AND a prize amount appears in the GARDEN OF GREEN area, add the prize shown to the TOTAL WON and win that amount. GARDEN OF GREEN cannot be won alone.



Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Garden of Green lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Garden of Green lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Garden of Green or through normal communications methods.

19. *Applicability:* This notice applies only to the Garden of Green lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-440. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania The Lucky Game Fast Play Game 5234

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the Fast Play lottery game is Pennsylvania The Lucky Game (“The Lucky Game”). The game number is PA-5234.

#### 2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *MAGIC BALL NUMBER:* The area above the “WINNING NUMBERS” area containing one number symbol that, when matching any of the “WINNING NUMBERS” number symbols, the player multiplies any prize won in the “YOUR NUMBERS” area by the “MULTIPLIER” shown and wins that amount.

(g) *MULTIPLIER:* The area above the “WINNING NUMBERS” area containing one “MULTIPLIER” symbol that, when any of the “WINNING NUMBERS” number symbols match the “MAGIC BALL NUMBER,” the player multiplies any prize won in the “YOUR NUMBERS” area and wins that amount.

(h) *Play:* A chance to participate in a particular Fast Play lottery game.

(i) *Play Area:* The area on a ticket which contains one or more play symbols.

(j) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *THE LUCKY BREAK:* The area within the “YOUR NUMBERS” area that, when three matching play symbols appear, awards the player a prize of \$200. THE LUCKY BREAK is played separately. THE LUCKY BREAK prizes cannot be multiplied.

(m) *WINNING NUMBERS:* The number symbols found in the play area that, when matched against the number symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(n) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS:* The number symbols found in the play area that, when matched against the number symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a The Lucky Game ticket is \$20.

4. *Description of The Lucky Game Fast Play lottery game:*

(a) The Lucky Game lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined and the player does not have the ability to select their own play symbols. The Lucky Game tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) The Lucky Game is played by matching any of the number symbols located in the “YOUR NUMBERS” area to any of the number symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown to the right of the

matching "YOUR NUMBERS" number symbol. When any "WINNING NUMBER" matches the "MAGIC BALL NUMBER," the player multiplies any prize won in the "YOUR NUMBERS" area by the "MULTIPLIER" shown. A bet slip is not used to play this game.

(c) The Lucky Game tickets also contain a "THE LUCKY BREAK" area. Whenever three matching play symbols appear in "THE LUCKY BREAK" area, the player wins a prize of \$200. "THE LUCKY BREAK" is played separately and prizes won in "THE LUCKY BREAK" cannot be multiplied.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) The Lucky Game tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a The Lucky Game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a The Lucky Game ticket and select The Lucky Game option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

#### 5. The Lucky Game ticket characteristics:

(a) The Lucky Game tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* The Lucky Game tickets will contain one play area containing a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "MAGIC BALL NUMBER" area, a "MULTIPLIER" area and one "THE LUCKY BREAK" area. "THE LUCKY BREAK" area is played separately and prizes won in "THE LUCKY BREAK" area cannot be multiplied. The number symbols and their captions located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area and the "MAGIC BALL NUMBER" area are: 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 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 "MULTIPLIER" area are: 1X (NOMULT) symbol, 2X (2TIMES) symbol, 5X (5TIMES) symbol and a 10X (10TIMES) symbol. The play symbols and their captions located in "THE LUCKY BREAK" area are: Clover symbol, Penny symbol, Ladybug symbol, Horseshoe symbol, Rainbow symbol, Crown symbol, Pot of Gold symbol, Star symbol, Lamp symbol and a Unicorn symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$350,000 (THRFTYTHO).

(d) *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$40, \$50, \$100, \$200, \$500, \$1,000 \$10,000 and \$350,000. A player can win up to 19 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for The Lucky Game lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All The Lucky Game prize payments will be made as one-time, lump-sum cash payments.

(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 \$350,000 (THRFTYTHO) appears in the Prize area to the right of the matching "YOUR NUMBERS" number symbol, on a single ticket, shall be entitled to a prize of \$350,000.

(c) 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 \$10,000 (TEN THO) appears in the Prize area to the right of the matching "YOUR NUMBERS" number symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" number symbols match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$1,000 (ONE THO) appears in the Prize area to the right of the matching "YOUR NUMBERS" number symbol, and upon which any of the "WINNING NUMBERS" number symbols match the "MAGIC BALL NUMBER" and a 10X (10TIMES) play symbol appears in the "MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$10,000.

(e) 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 to the right of the matching "YOUR NUMBERS" number 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 match any of the "WINNING NUMBERS" number symbols and a prize symbol of \$500 (FIV HUN) appears in the Prize area to the right of the matching "YOUR NUMBERS" number symbol, and upon which any of the "WINNING NUMBERS" number symbols match the "MAGIC BALL NUMBER" and a 2X (2TIMES) play symbol appears in the "MULTIPLIER" area, 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 \$200 (TWO HUN) appears in the Prize area to the right of the matching "YOUR NUMBERS" number symbol, and upon which any of the "WINNING NUMBERS" number symbols match the "MAGIC BALL NUMBER" and a 5X (5TIMES) play symbol appears in the "MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$1,000.

(h) 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 to the right of the matching "YOUR NUMBERS" number symbol, and upon which any of the "WINNING NUMBERS" number







\$40.<sup>00</sup> (FORTY) appears in the Prize area to the right of the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$40.

(y) 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 to the right of the matching “YOUR NUMBERS” number symbol, and upon which any of the “WINNING NUMBERS” number symbols match the “MAGIC BALL NUMBER” and a 2X (2TIMES) play symbol appears in the “MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$40.

(z) 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 \$30.<sup>00</sup> (THIRTY) appears in the Prize area to the right of the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$30.

(aa) 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 to the right of the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$20.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown To The Right Of The Matching Number. Win With:</i>	<i>“MAGIC BALL MULTIPLIER”:</i>	<i>“THE LUCKY BREAK”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$20			\$20	9.35	64,200
\$30			\$30	20	30,000
\$20 × 2			\$40	50	12,000
\$20	2X w/ MAGIC BALL NUMBER MATCH		\$40	14.29	42,000
\$40			\$40	200	3,000
\$30 + \$20			\$50	50	12,000
\$50			\$50	200	3,000
\$20 × 5			\$100	2,000	300
\$50 × 2			\$100	2,000	300
(\$20 × 3) + \$40			\$100	1,000	600
(\$30 × 2) + \$40			\$100	1,000	600
(\$40 × 2) + \$20			\$100	1,000	600
\$30 + \$20	2X w/ MAGIC BALL NUMBER MATCH		\$100	1,000	600
\$20	5X w/ MAGIC BALL NUMBER MATCH		\$100	200	3,000
\$50	2X w/ MAGIC BALL NUMBER MATCH		\$100	1,000	600
\$100			\$100	2,000	300
\$50 × 4			\$200	12,000	50
\$100 × 2			\$200	12,000	50
(\$40 × 3) + (\$30 × 2) + \$20			\$200	12,000	50
(\$50 × 2) + (\$40 × 2) + \$20			\$200	12,000	50
\$20 × 2	5X w/ MAGIC BALL NUMBER MATCH		\$200	2,400	250
(\$30 × 2) + (\$20 × 2)	2X w/ MAGIC BALL NUMBER MATCH		\$200	1,600	375

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown To The Right Of The Matching Number. Win With:</i>	<i>"MAGIC BALL MULTIPLIER":</i>	<i>"THE LUCKY BREAK":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$50 × 2	2X w/ MAGIC BALL NUMBER MATCH		\$200	1,600	375
\$20	10X w/ MAGIC BALL NUMBER MATCH		\$200	480	1,250
\$40	5X w/ MAGIC BALL NUMBER MATCH		\$200	1,714	350
\$100	2X w/ MAGIC BALL NUMBER MATCH		\$200	1,714	350
		\$200 w/ 3 LIKE SYMBOLS	\$200	200	3,000
\$200			\$200	24,000	25
\$100 × 5			\$500	12,000	50
(\$200 × 2) + \$100			\$500	12,000	50
(\$50 × 4) + (\$20 × 5)		\$200 w/ 3 LIKE SYMBOLS	\$500	4,800	125
(\$100 × 2) + (\$50 × 2)		\$200 w/ 3 LIKE SYMBOLS	\$500	4,800	125
\$100 × 3		\$200 w/ 3 LIKE SYMBOLS	\$500	6,000	100
\$30	10X w/ MAGIC BALL NUMBER MATCH	\$200 w/ 3 LIKE SYMBOLS	\$500	1,714	350
\$50 × 3	2X w/ MAGIC BALL NUMBER MATCH	\$200 w/ 3 LIKE SYMBOLS	\$500	12,000	50
\$100 + \$50	2X w/ MAGIC BALL NUMBER MATCH	\$200 w/ 3 LIKE SYMBOLS	\$500	4,800	125
\$50	10X w/ MAGIC BALL NUMBER MATCH		\$500	4,800	125
\$100	5X w/ MAGIC BALL NUMBER MATCH		\$500	4,800	125
\$500			\$500	24,000	25
\$200 × 5			\$1,000	120,000	5
\$500 × 2			\$1,000	120,000	5
(\$50 × 10) + (\$40 × 7) + \$20		\$200 w/ 3 LIKE SYMBOLS	\$1,000	60,000	10
(\$100 × 5) + (\$50 × 4) + (\$20 × 5)		\$200 w/ 3 LIKE SYMBOLS	\$1,000	60,000	10
(\$20 × 2) + \$40	10X w/ MAGIC BALL NUMBER MATCH	\$200 w/ 3 LIKE SYMBOLS	\$1,000	60,000	10
(\$50 × 5) + (\$30 × 5)	2X w/ MAGIC BALL NUMBER MATCH	\$200 w/ 3 LIKE SYMBOLS	\$1,000	30,000	20

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown To The Right Of The Matching Number. Win With:</i>	<i>"MAGIC BALL MULTIPLIER":</i>	<i>"THE LUCKY BREAK":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$100	10X w/ MAGIC BALL NUMBER MATCH		\$1,000	24,000	25
\$200	5X w/ MAGIC BALL NUMBER MATCH		\$1,000	40,000	15
\$500	2X w/ MAGIC BALL NUMBER MATCH		\$1,000	60,000	10
\$1,000			\$1,000	120,000	5
\$1,000	10X w/ MAGIC BALL NUMBER MATCH		\$10,000	120,000	5
\$10,000			\$10,000	120,000	5
\$350,000			\$350,000	200,000	3

When any WINNING NUMBER matches the MAGIC BALL NUMBER, multiply any prize won in the YOUR NUMBERS area by the MULTIPLIER shown and win that amount.

THE LUCKY BREAK: Match 3 like symbols in THE LUCKY BREAK area, win \$200 instantly! THE LUCKY BREAK area is not multiplied.

Prizes, including top prizes, are subject to availability at the time of purchase.

**8. Ticket responsibility:**

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

**9. Ticket validation and requirements:**

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

**10. Procedures for claiming and payment of prizes:**

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play The Lucky Game lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play The Lucky Game lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize,

either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote The Lucky Game or through normal communications methods.

19. *Applicability:* This notice applies only to The Lucky Game lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-441. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Mom You Are Wow Fast Play Game 5235

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the Fast Play lottery game is Pennsylvania Mom You Are Wow (“Mom You Are Wow”). The game number is PA-5235.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *HAPPY MOTHER'S DAY:* The area at the bottom of a Mom You Are Wow lottery game ticket containing two play symbols that, when a BEST MUM EVER symbol, a SUPER MAMA symbol or a MOM YOU ARE WOW symbol appear in the HAPPY MOTHER'S DAY area, determines whether the player wins a prize of \$5, \$15 or \$25 according to the “PRIZE LEGEND.” “HAPPY MOTHER'S DAY” is played separately.

(e) *HEART:* A feature of the Mom You Are Wow Fast Play lottery game where, when any five of the “YOUR



NUMBERS" number symbols appear printed in a HEART, the player wins a prize of \$50.

(f) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(g) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *PRIZE LEGEND*: The area at the top of a Mom You Are Wow lottery game ticket that shows a player the prize that can be won when a BEST MUM EVER symbol, a SUPER MAMA symbol or a MOM YOU ARE WOW symbol appears in the "HAPPY MOTHER'S DAY" area.

(m) *WINNING NUMBERS*: The number symbols found in the play area that, when matched against the number symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The number symbols found in the play area that, when matched against the number symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Mom You Are Wow ticket is \$5.

4. *Description of the Mom You Are Wow Fast Play lottery game*:

(a) The Mom You Are Wow lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Mom You Are Wow tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Mom You Are Wow is played by matching any of the number symbols located in the "YOUR NUMBERS" area to any of the number symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" symbol. When any five of the "YOUR NUMBERS" number symbols appear printed in a "HEART," the player wins a prize of \$50. A bet slip is not used to play this game.

(c) Mom You Are Wow tickets also contain a "HAPPY MOTHER'S DAY" area. If a BEST MUM EVER symbol, a SUPER MAMA symbol or a MOM YOU ARE WOW symbol appears in the "HAPPY MOTHER'S DAY" area,

the player wins the prize shown in the "PRIZE LEGEND." "HAPPY MOTHER'S DAY" is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Mom You Are Wow tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Mom You Are Wow ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Mom You Are Wow ticket and select the Mom You Are Wow option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

#### 5. *Mom You Are Wow ticket characteristics*:

(a) Mom You Are Wow tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Mom You Are Wow tickets will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area and one "HAPPY MOTHER'S DAY" area. The number symbols and their captions located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The number symbols and their captions located in the "YOUR NUMBERS" area and printed in a "HEART" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions located in the "HAPPY MOTHER'S DAY" area are:

(1) *Bouquet 1 symbol*:



(2) *Bouquet 2 symbol*:



(3) Bouquet 3 symbol:



(4) Bouquet 4 symbol:



(5) Bouquet 5 symbol:



(6) BEST MUM EVER symbol:



(7) SUPER MAMA symbol; and:



(8) MOM YOU ARE WOW symbol:



(c) *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTEEN), \$25<sup>.00</sup> (TWY FIV), \$50<sup>.00</sup> (FIFTY), \$75<sup>.00</sup> (SVH FIV), \$100 (ONE HUN), \$200 (TWO HUN), \$1,000 (ONE THO) and \$30,000 (TRY THO).

(d) *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$25, \$50, \$75, \$100, \$200, \$1,000 and \$30,000. A player can win up to 14 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 360,000 tickets will be available for sale for the Mom You Are Wow lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Mom You Are Wow prize payments will be made as one-time, lump-sum cash payments.

(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 \$30,000 (TRY THO) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(c) 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.

(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 \$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.

(e) 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.

(f) 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 \$75<sup>.00</sup> (SVY FIV) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$75.

(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 \$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.

(h) Holders of tickets upon which any five of the “YOUR NUMBERS” number symbols appear printed in a “HEART,” on a single ticket, shall be entitled to a prize of \$50.

(i) 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 \$25<sup>.00</sup> (TWY FIV) appears in the Prize area under the matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$25.

(j) Holders of tickets upon which a MOM YOU ARE WOW symbol appears in the “HAPPY MOTHER’S DAY” area, on a single ticket, shall be entitled to a prize of \$25.

(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 \$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.

(l) Holders of tickets upon which a SUPER MAMA symbol appears in the “HAPPY MOTHER’S DAY” area, on a single ticket, shall be entitled to a prize of \$15.

(m) 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 \$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.

(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 \$5<sup>00</sup> (FIV DOL) appears in the Prize area under the

matching “YOUR NUMBERS” number symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which a BEST MUM EVER symbol appears in the “HAPPY MOTHER’S DAY” area, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“HAPPY MOTHER’S DAY.”</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 360,000 Tickets:</i>
	\$5 w/ BEST MUM EVER	\$5	20	18,000
\$5		\$5	20	18,000
\$5 × 2		\$10	100	3,600
\$5	\$5 w/ BEST MUM EVER	\$10	33.33	10,800
	(\$5 w/ BEST MUM EVER) × 2	\$10	100	3,600
\$10		\$10	100	3,600
\$5 × 3		\$15	333.33	1,080
\$10 + \$5		\$15	333.33	1,080
\$5	(\$5 w/ BEST MUM EVER) × 2	\$15	111.11	3,240
\$10	\$5 w/ BEST MUM EVER	\$15	111.11	3,240
	\$15 w/ SUPER MAMA	\$15	83.33	4,320
\$15		\$15	200	1,800
\$5 × 5		\$25	1,000	360
\$15 + \$10		\$25	1,000	360
\$5	(\$15 w/ SUPER MAMA) + (\$5 w/ BEST MUM EVER)	\$25	166.67	2,160
\$10	\$15 w/ SUPER MAMA	\$25	500	720
\$10 × 2	\$5 w/ BEST MUM EVER	\$25	500	720
\$15 + \$5	\$5 w/ BEST MUM EVER	\$25	500	720
	\$25 w/ MOM YOU ARE WOW	\$25	100	3,600
\$25		\$25	1,000	360
\$10 × 5		\$50	2,000	180
\$25 × 2		\$50	2,000	180
\$15 + \$5	(\$15 w/ SUPER MAMA) × 2	\$50	2,000	180
\$15 + \$10 + \$5	(\$15 w/ SUPER MAMA) + (\$5 w/ BEST MUM EVER)	\$50	2,000	180

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"HAPPY MOTHER'S DAY:"</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 360,000 Tickets:</i>
\$15 × 3	\$5 w/ BEST MUM EVER	\$50	2,000	180
\$25	\$25 w/ MOM YOU ARE WOW	\$50	10,000	36
	(\$25 w/ MOM YOU ARE WOW) × 2	\$50	2,000	180
\$50 w/ FIVE HEARTS		\$50	200	1,800
\$50		\$50	2,000	180
\$25 × 3		\$75	9,231	39
\$15 + \$10	(\$25 w/ MOM YOU ARE WOW) × 2	\$75	6,000	60
(\$15 × 4) + (\$5 × 2)	\$5 w/ BEST MUM EVER	\$75	6,000	60
\$25 + \$15 + \$5	(\$25 w/ MOM YOU ARE WOW) + (\$5 w/ BEST MUM EVER)	\$75	6,000	60
(\$50 w/ FIVE HEARTS) + \$5	(\$15 w/ SUPER MAMA) + (\$5 w/ BEST MUM EVER)	\$75	2,400	150
(\$50 w/ FIVE HEARTS) + \$10	\$15 w/ SUPER MAMA	\$75	2,400	150
\$50 w/ FIVE HEARTS	\$25 w/ MOM YOU ARE WOW	\$75	2,400	150
\$75		\$75	9,231	39
\$25 × 4		\$100	24,000	15
\$50 × 2		\$100	24,000	15
(\$25 × 2) + (\$15 × 2) + (\$5 × 4)		\$100	24,000	15
(\$25 × 3) + \$10	\$15 w/ SUPER MAMA	\$100	6,000	60
\$50 + \$25 + \$5	(\$15 w/ SUPER MAMA) + (\$5 w/ BEST MUM EVER)	\$100	6,000	60
\$75 + \$15	(\$5 w/ BEST MUM EVER) × 2	\$100	3,000	120
(\$50 w/ FIVE HEARTS) + (\$5 × 5)	\$25 w/ MOM YOU ARE WOW	\$100	3,000	120
(\$50 w/ FIVE HEARTS) + \$10	(\$25 w/ MOM YOU ARE WOW) + (\$15 w/ SUPER MAMA)	\$100	3,000	120
\$50 w/ FIVE HEARTS	(\$25 w/ MOM YOU ARE WOW) × 2	\$100	1,053	342
\$100		\$100	24,000	15
\$100 × 2		\$200	24,000	15
(\$50 × 2) + (\$25 × 2) + \$10	(\$25 w/ MOM YOU ARE WOW) + (\$15 w/ SUPER MAMA)	\$200	8,000	45
(\$50 w/ FIVE HEARTS) + (\$25 × 2) + (\$15 × 2) + (\$10 × 2) + (\$5 × 4)	(\$25 w/ MOM YOU ARE WOW) + (\$5 w/ BEST MUM EVER)	\$200	8,000	45
(\$50 w/ FIVE HEARTS) + \$100 + \$25	\$25 w/ MOM YOU ARE WOW	\$200	8,000	45



<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"HAPPY MOTHER'S DAY:"</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 360,000 Tickets:</i>
\$200		\$200	24,000	15
\$200 × 5		\$1,000	120,000	3
(\$50 w/ FIVE HEARTS) + (\$200 × 2) + (\$100 × 4) + (\$25 × 4) + \$10	(\$25 w/ MOM YOU ARE WOW) + (\$15 w/ SUPER MAMA)	\$1,000	24,000	15
\$1,000		\$1,000	120,000	3
\$30,000		\$30,000	120,000	3

When five "HEART" symbols appear in the YOUR NUMBERS area, win \$50 instantly!

HAPPY MOTHER'S DAY: When a "BEST MUM EVER," "SUPER MAMA" or "MOM YOU ARE WOW" symbol appears in the HAPPY MOTHER'S DAY area, win corresponding prize shown in the PRIZE LEGEND. HAPPY MOTHER'S DAY is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by

the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Mom You Are Wow lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Mom You Are Wow lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Mom You Are Wow or through normal communications methods.

19. *Applicability:* This notice applies only to the Mom You Are Wow lottery game announced in this notice.

PATRICK BROWNE,  
Secretary

[Pa.B. Doc. No. 24-442. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Spring Fever Fast Play Game 5237

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the Fast Play lottery game is Pennsylvania Spring Fever (“Spring Fever”). The game number is PA-5237.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *MONEY TREE NUMBER:* The play symbol in the “YOUR NUMBERS” area on a Spring Fever ticket that, when matching any of the “WINNING NUMBERS,” determines whether the player wins all six prizes shown in the “YOUR NUMBERS” area.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins the prize under the matching “YOUR NUMBERS” play symbol, and when matched against the “MONEY TREE NUMBER,” determines whether the player wins all six prizes shown in the “YOUR NUMBERS” area.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The play symbols found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins the prize under the matching YOUR NUMBERS play symbol.

3. *Price*: The price of a Spring Fever ticket is \$1.

4. *Description of the Spring Fever Fast Play lottery game*:

(a) The Spring Fever lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Spring Fever tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Spring Fever is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” symbol. When any of the “WINNING NUMBERS” play symbols matches the “MONEY TREE NUMBER,” the player wins all six prizes shown in the “YOUR NUMBERS” area. A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) Spring Fever tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Spring Fever ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Spring Fever ticket and select the Spring Fever option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Spring Fever ticket characteristics*:

(a) Spring Fever tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Spring Fever tickets will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and one “MONEY TREE NUMBER”. The play symbols and their captions located in the “WINNING NUMBERS” area, the “YOUR NUMBERS” area and in the “MONEY TREE NUMBER” are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN),

12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN) and 20 (TWENTY).

(c) *Prize Symbols*: The prize symbols and their captions located in the “YOUR NUMBERS” area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$1,000 (ONE THO).

(d) *Prizes*: The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$30, \$40, \$50, \$100 and \$1,000. A player can win up to six times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 840,000 tickets will be available for sale for the Spring Fever lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Spring Fever prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(d) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in three 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 \$30<sup>00</sup> (THIRTY) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the Prize areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the Prize areas, a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in two of the Prize areas and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and 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, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in two of the Prize areas, a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in two of the Prize areas, a prize symbol of \$30<sup>.00</sup> (THRITY) appears in one of the Prize areas and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>.00</sup> (FORTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in two of the Prize areas, a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears in two of the Prize areas, a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in one 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 \$40.

(l) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in five of the Prize areas and a prize symbol of \$30<sup>.00</sup> (THIRTY) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30<sup>.00</sup> (THIRTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(n) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in two of the Prize areas, a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in two of the Prize areas, a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in one of the Prize areas and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$30.

(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 \$20<sup>.00</sup> (TWENTY) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in four of the Prize areas and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in three of the Prize areas, a prize symbol of

\$5<sup>.00</sup> (FIV DOL) appears in one of the Prize areas, a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in one of the Prize areas and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in five 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 \$20.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(t) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in four of the Prize areas and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears in two of the Prize areas, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “MONEY TREE NUMBER” and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears in five of the Prize areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in one of the Prize areas, on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(w) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(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 \$2<sup>.00</sup> (TWO DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(y) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(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 FREE (TICKET) appears in the Prize area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Spring Fever Fast Play ticket.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:



<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 840,000 Tickets:</i>
FREE	FREE \$1 TICKET	9.9	84,840
\$1	\$1	25	33,600
\$1 × 2	\$2	30.3	27,720
\$2	\$2	40	21,000
\$1 × 4	\$4	500	1,680
\$2 × 2	\$4	500	1,680
\$4	\$4	500	1,680
(\$1 × 3) + \$2	\$5	250	3,360
(\$2 × 2) + \$1	\$5	333.33	2,520
\$4 + \$1	\$5	400	2,100
\$5	\$5	909.09	924
MONEY TREE NUMBER MATCH w/ ((\$1 × 5) + \$5)	\$10	222.22	3,780
MONEY TREE NUMBER MATCH w/ ((\$2 × 4) + (\$1 × 2))	\$10	222.22	3,780
\$5 × 2	\$10	2,000	420
\$5 + \$4 + \$1	\$10	5,000	168
\$10	\$10	2,000	420
MONEY TREE NUMBER MATCH w/ ((\$2 × 5) + \$10)	\$20	1,200	700
MONEY TREE NUMBER MATCH w/ ((\$4 × 3) + \$5 + \$2 + \$1)	\$20	1,200	700
MONEY TREE NUMBER MATCH w/ ((\$4 × 4) + (\$2 × 2))	\$20	1,200	700
\$5 × 4	\$20	6,000	140
\$10 × 2	\$20	6,000	140
\$10 + \$5 + \$4 + \$1	\$20	60,000	14
\$20	\$20	12,000	70
MONEY TREE NUMBER MATCH w/ ((\$10 × 2) + (\$2 × 2) + \$5 + \$1)	\$30	800	1,050
\$10 × 3	\$30	12,000	70
\$20 + \$10	\$30	12,000	70
\$30	\$30	12,000	70
MONEY TREE NUMBER MATCH w/ ((\$2 × 5) + \$30)	\$40	2,791	301
MONEY TREE NUMBER MATCH w/ ((\$4 × 2) + (\$1 × 2) + \$20 + \$10)	\$40	3,000	280
\$20 × 2	\$40	12,000	70
(\$5 × 2) + \$30	\$40	12,000	70
\$40	\$40	24,000	35
MONEY TREE NUMBER MATCH w/ ((\$5 × 2) + (\$4 × 2) + \$30 + \$2)	\$50	6,000	140
MONEY TREE NUMBER MATCH w/ ((\$10 × 4) + (\$5 × 2))	\$50	6,000	140
MONEY TREE NUMBER MATCH w/ ((\$20 × 2) + (\$4 × 2) + (\$1 × 2))	\$50	6,000	140
\$30 + \$10 + \$5 + \$4 + \$1	\$50	24,000	35
\$50	\$50	24,000	35

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 840,000 Tickets:</i>
MONEY TREE NUMBER MATCH w/ (( $\$10 \times 5$ ) + $\$50$ )	\$100	6,000	140
MONEY TREE NUMBER MATCH w/ (( $\$20 \times 3$ ) + ( $\$5 \times 2$ ) + $\$30$ )	\$100	6,000	140
$\$50 \times 2$	\$100	120,000	7
\$100	\$100	120,000	7
\$1,000	\$1,000	84,000	10

When any WINNING NUMBER matches the MONEY TREE NUMBER, win all 6 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent

residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Spring Fever lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Spring Fever lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Spring Fever or through normal communications methods.

19. *Applicability:* This notice applies only to the Spring Fever lottery game announced in this notice.

PATRICK BROWNE,  
*Secretary*

[Pa.B. Doc. No. 24-443. Filed for public inspection March 29, 2024, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Automated Red Light Enforcement Transportation Enhancement Grants Program Applications

Under 67 Pa. Code Chapter 233 (relating to transportation enhancement grants from automated red light enforcement system revenues), the Department of Transportation (Department) is inviting city, county and municipal governments and other local boards or bodies with authority to enact laws relating to traffic in this Commonwealth to submit applications in accordance with the parameters delineated in 67 Pa. Code Chapter 233. Preapplication scoping forms are required. Feedback on preapplication submission forms submitted by April 30, 2024, will be provided by May 31, 2024. Applications will be accepted from June 1, 2024, to June 30, 2024.

Additional guidance and information can be found on the Department's Traffic Signal Resource Portal at <http://www.dot.state.pa.us/signals> including links to the preapplication scoping form and the online application. Supporting documents may be attached to the online application. Only the online application and supporting documents attached to the online application will be considered. Paper copies are not required.

Questions related to the Automated Red Light Enforcement Transportation Enhancement Grants Program should be directed to Michael Centi, Bureau of Operations, 400 North Street, 6th Floor, Harrisburg, PA 17120, (717) 787-5313, [ARLE@pa.gov](mailto:ARLE@pa.gov).

MICHAEL CARROLL,  
*Secretary*

[Pa.B. Doc. No. 24-444. Filed for public inspection March 29, 2024, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

Reg. No.	Agency/Title	Close of the Public Comment Period	IRRC Comments Issued
57-340	Pennsylvania Public Utility Commission Initiative to Review and Revise the Existing Low-Income Usage Reduction Program (LIURP) Regulations at 52 Pa. Code §§ 58.1—58.18 53 Pa.B. 7506 (December 2, 2023)	02/15/24	03/18/24

**Pennsylvania Public Utility Commission  
Regulation # 57-340 (IRRC # 3387)**

**Initiative to Review and Revise the Existing  
Low-Income Usage Reduction Program (LIURP)  
Regulations at 52 Pa. Code §§ 58.1—58.18**

**March 18, 2024**

We submit for your consideration the following comments on the proposed rulemaking published in the December 2, 2023 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

**1. Economic or fiscal impact of the regulation.**

Question 19 of the RAF asks an agency to provide specific estimates of the costs and savings associated with compliance of the rulemaking. The PUC has not provided specific estimates in the RAF or Preamble to the rulemaking. Instead, they have asked stakeholders to quantify costs and savings associated with the proposed amendments. The comments submitted by stakeholders on the proposed rulemaking indicate the potential for additional costs to utility companies as well as savings to utility customers that participate in low-income usage reduction programs (LIURP) offered by utilities. However, the comments do not provide specific estimates on the potential costs or savings.

In order for this Commission to determine if the regulation is in the public interest, a complete answer to Question 19 is required. We encourage the PUC to engage with stakeholders to determine the fiscal impact of the rulemaking, quantify the findings, and include specific cost and saving estimates in the RAF submitted with the final rulemaking.

**2. Reaching of consensus.**

We acknowledge the efforts of the PUC in developing this proposed regulation, including the issuance of a Secretarial Letter in 2016 that sought input on updates to the LIURP regulations. The regulations have not been updated since 1998. The PUC used the feedback provided by interested parties to develop this proposed rulemaking.

The PUC’s Consumer Advisory Council (CAC) and the Energy Association of Pennsylvania (EAP) submitted comments on the proposed rulemaking that address the time that has lapsed since the issuance of the Secretarial Letter in 2016. CAC’s comments state the following:

The Council notes from the outset that the [PUC’s] proposed rulemaking is based on comments solicited in 2016—seven years before releasing the proposed rulemaking. The energy landscape has changed dramatically since 2016. Efficiency technologies have advanced, energy costs have risen, and new programs and delivery models have emerged. Increasing extreme temperatures in both summer and winter are

driving unique needs that were not at the forefront of energy policy in 2016—but are front and center today. Further transformative changes are on the horizon as Inflation Reduction Act investments drive a rapid transition toward home electrification and expanded reliance on distributed generation. Given this rapidly evolving energy landscape, we encourage the [PUC] to remain open and responsive to a wide range of comments and recommendations on issues not previously addressed in 2016.

EAP’s comments state the following:

However, much time has passed between the [PUC’s] initiation of this review and today. As such, EAP suggests that any review of LIURP regulations consider related [PUC] action since 2016, as well as the growth of federally-funded weatherization programs administered by the Pennsylvania Department of Community and Economic Development (“DCED”) and the additional availability of programs funded by the federal Inflation Reduction Act (“IRA”) and administered by the Pennsylvania Department of Environmental Protection (“DEP”).

As discussed below, stakeholders, through their comments and reply comments, have provided numerous and differing opinions and suggestions on the proposed rulemaking.

In addition, through this rulemaking proceeding, the PUC is seeking input from stakeholders on the role a LIURP can play in reducing or eliminating further accumulation of arrearages for some utility customers. The PUC included the following questions in the Preamble:

- Has LIURP proven to be an effective means to help customers with extremely high arrearage balances (e.g., \$10,000 or more) maintain utility service and pay down this debt?
- Would offering LIURP to customers with high utility account balances and unusually high monthly average bills result in a decrease in the cost of collection efforts and a decrease in uncollectible write-offs? If so, what eligibility criteria may apply?
- At what arrearage accumulation point or points should a public utility intervene to assist a customer reduce the household’s monthly bill to make the bills more affordable before the customer accumulates a balance of \$10,000 or greater? What criteria could the public utility use to identify customers who could benefit from LIURP treatment to minimize extremely high balances (e.g., amount of arrearage accumulating, age of housing and ability to provide conservation treatment, amount of average monthly bill compared to ability to pay, history of good faith payments, and the like)? Should the accumulation point be based on household income level or FPIG tier? What should the point or points be?
- How can coordination with other programs (e.g., Act 129) help customers with high arrearage balances who are income-ineligible for LIURP?



• What other avenues should be considered, in combination with or separate from LIURP, to help public utility customers maintain service if they have arrearage balances near or exceeding \$10,000? What programs exist or could be recommended to address the existing arrearage for customers income-eligible for CAPs so as not to burden ratepayers with write-offs of accumulated arrearages in the future?

The questions above are important and substantive. However, specific language addressing the issues was not included in the Annex to this proposal.

In light of the time that has passed since the issuance of the Secretarial Letter of 2016, the lack of specific fiscal impact information, the numerous comments and reply comments submitted by stakeholders on the proposed rulemaking, and the questions regarding arrearages, we draw attention to a key component of the regulatory review process as stated in Section 2(a) of the RRA: “To the greatest extent possible, this act is intended to encourage the resolution of objections to a regulation and the reaching of a consensus among the commission, the standing committees, interested parties and the agency.” 71 P.S. § 745.2(a).

We urge the PUC to continue seeking input from all interested parties to build consensus on how LIURP fits into the energy landscape of 2024, the proposed amendments to the LIURP regulations and any potential new language that might be added to the final regulation to address arrearage. As the PUC develops the final-form regulation, we encourage further discussions with the stakeholders who have provided input on this rulemaking, and we request the PUC provide a description in the RAF and Preamble to the final-form regulation of the efforts made in this regard.

In addition, if new language is added to the Annex to address the issue of arrearages, we encourage the PUC to issue an Advance Notice of Final Rulemaking that includes the specific arrearage language to be included in the final rulemaking. This would provide stakeholders the opportunity to provide feedback on substantive language that was not included in the proposed rulemaking.

### **3. LIURP budgets.—Whether the regulation is consistent with the intent of the General Assembly; Reasonableness; Need.**

Commentators have raised numerous concerns with the new definition of “LIURP budget” found in § 58.2, relating to definitions, and amendments being proposed in § 58.4(a.1) and (c), relating to LIURP budgets, § 58.17, relating to modifications of a LIURP, and § 58.18, relating to waiver. The new definition and the proposed changes to existing language will alter the way LIURPs are reviewed, approved, and modified. The amendments would limit the PUC’s review of a utility’s LIURP budget to quinquennial Universal Service and Energy Conversation Plan (USECP) proceedings. Commentators are concerned that the changes will affect the transparency of LIURP proceedings before the PUC and the ability of stakeholders to participate in the proceedings. They argue that consideration of LIURP funding should be included in base rate proceedings and not limited USECP filings that are reviewed and approved by the PUC. In addition, some commentators believe the changes being contemplated contradict statutory mandates and would affect the PUC’s ability to administer LIURPs of utility companies, including potential modifications to and waivers of LIURP requirements.

We acknowledge the description of the changes and the rationale for the changes provided by the PUC in the

Preamble to the proposal. In light of the comments and reply comments provided by commentators, we ask the PUC for a more detailed explanation of the need for the proposed changes included in the rulemaking. We also ask PUC to consider the suggestions made by the commentators regarding other ways to review, approve and modify LIURP budgets, including maintaining the status quo, and to address the validity of those suggestion in the Preamble to the final-form rulemaking. Finally, we ask the PUC to ensure that the proposed rulemaking does not conflict with any statutory provisions that guide the administration of LIURPs.

### **4. Whether the regulation is in the public interest.**

Interested parties have submitted detailed comments and reply comments on new provisions and amendments included in this rulemaking. Some commentators, advocating on behalf of utility customers (advocates), ask for such things as more opportunities to participate in LIURP proceedings, additional reporting requirements for utilities with LIURPs, expansion of eligibility criteria for utility customers, additional protection for tenant households, mandatory use of community-based organizations (CBOs), and additional services and repairs that would fall under LIURPs. Other commentators, representing utility companies (industry) caution against an expansion of LIURP eligibility and services that could increase costs without actual benefits to potential recipients of LIURP funding or services. They believe any updates should focus on usage reduction and balancing the needs of LIURP participants and the costs borne by all residential customers, while at the same time preserving the managerial discretion needed by utilizes to administer their LIURPs. We note that the advocates and industry also expressed similar opinions on several proposed provisions and have provided the rationale for their arguments.

As noted above, the Section 5.2 of the RRA includes criteria to be used by this Commission to determine if a regulation is in the public interest and Section 5.1(a) of the RRA requires an agency to respond to all comments it receives on a proposed rulemaking. List below are specific sections of the rulemaking for which the advocates and industry have submitted comments that we believe warrant further consideration. We ask the PUC to provide responses to the questions below, which are based on the comments submitted by stakeholders. We will weigh the PUC’s responses to questions against the following RRA criteria to determine if the rulemaking is in the public interest: economic or fiscal impact; protection of the public health, safety and welfare; and the clarity, feasibility and reasonableness of the regulation.

#### *Section 58.2. Definitions.*

*Administrative costs*—Should information technology and training be included in this definition?

*CAP—Customer assistance program*—Should the definition be aligned with PUC’s Policy Statement found at 52 Pa. Code § 69.261?

*CARES—Customer assistance and referral evaluation services*—Should the definition be consistent with the existing Universal Service and Energy Conservation (“USECP”) reporting regulations at 52 Pa. Code §§ 54.72 and 62.2?

*Defacto heating*—Should the definition be expanded to include a broader range of heating sources?

*Eligible customer*—Should this definition require a customer to meet both the usage threshold and other criteria

in a public utility's LIURP? Should the definition include both heating and cooling needs?

*ESP—Energy service provider*—Should the definition be more inclusive of CBOs?

*Health and safety measure*—Should the definition be interpreted broadly to include any measures that would be necessary to maintain and protect the physical well-being and comfort of a dwelling or should it focus on the reduction of energy usage of low-income households?

*LIURP—Low-Income Usage Reduction Program*—Should the definition be consistent with the definitions found in 52 Pa. Code §§ 54.72 and 62.2?

*Low-income customer*—Should the threshold be increased from 150% to 200% of federal income poverty guidelines (FPIGs) and should the threshold be established at 300% for special needs customers?

*Payment-troubled customer*—Should the definition be consistent with the definition of “payment troubled” found in 52 Pa. Code §§ 54.72 and 62.2? Is the inclusion of criteria based on arrearages appropriate?

*Residential electric baseload customer*—Should space cooling be added to this definition?

*Residential space-heating customer*—Should space cooling be included in the term being defined and added to the definition?

*Special needs customer*—Should the FPIG threshold be raised to 300%? Should the reference to “protection from abuse” be expanded to include other court orders that contain clear evidence of abuse? Will utilities be able to determine need status of its customers and implement the requirements of the regulation? Should the definition be aligned with the Department of Human Services definition of “vulnerable household”? Will the definition expand the number of eligible households and redirect resources away from others in need of services? What is meant by “medical equipment”?

#### *Section 58.4. LIURP budgets.*

##### *Subsection (a.2) Special needs customers.*

Will the increase from 20% to 25% of a utility's LIURP budget on special needs customers limit flexibility in addressing unique needs of some customers? How will the PUC ensure utilities are assessing the needs of all eligible customers?

##### *Subsection (c) Revisions to a LIURP budget.*

Do the criteria set forth in this subsection apply to new LIURP budgets of a utility or revisions to that budget or both? Are all the factors to be given equal weight in the establishment of LIURP budgets and services? What is the benefit of changing the current reference of “a reasonable period of time” to “a proposed timeline”?

##### *Subsection (d.1) Unspent LIURP funds*

How are utilities to prioritize spending unused funds from a prior years LIURP budget in a current LIURP budget? Is there an expectation that all rolled-over funds will be eventually spent on future LIURP budgets and services?

#### *Section 58.7. Integration.*

What is meant by the existing term “direct assistance” found under Subsection (b)?

#### *Section 58.8. Tenant household eligibility.*

Has the PUC considered developing standardized policies or procedures regarding tenant household eligibility

or a form that could be signed by the tenant, landlord and the utility regarding LIURP services to ensure all parties are aware of and understand their rights and obligations?

Would new Subsection (c), regarding optional utility requirement, ensure that tenants are free from rent increases or evictions associated with the increased value that LIURP can provide to tenant dwellings? Is the new language of this subsection an optional provision the utility could apply on a case-by-case basis to incentivize a particular landlord to participate, or would a utility have to apply this uniformly throughout its service territory under its LIURP?

#### *Section 58.9. LIURP outreach.*

Is the provision regarding a utility providing public service announcements regarding its LIURP in media outlet resources, such as print, broadcast and social media platforms mandatory? If that is the intent of the PUC, we note that, as currently written, it is not enforceable. Will utilities be required to provide oral interpretation and written translation of its targeted communication to potentially eligible customers? How often should a utility review census data to determine the percentage of non-English speaking customers in its territory?

#### *Section 58.10. Prioritization of program services.*

What would the ramifications be to potentially eligible LIURP recipients and utilities if customer assistance program (CAP) customers were automatically eligible for LIURP without further application? Will the prioritization framework capture customers that live in smaller homes or apartments that have a high usage factor, but less usage than larger homes? Will the framework properly assess the needs of customers who have recently experienced a service disconnection or involuntary termination? How will the prioritization framework be administered if applications for LIURP services are received by utilities at different times of the year? What is meant by the term “CAP shortfall,” and why does the PUC believe this factor is important in determining eligibility for potential LIURP recipients?

#### *Section 58.11. Energy audit.*

Both the advocates and industry oppose Subsection (c) and the prohibition of a public utility from using the same energy service provider (ESP) to both install program measures and perform the required energy audit. What is the rationale for this provision? Similar prohibitions regarding quality control inspections are found under § 58.14a(e), relating to quality control.

#### *Section 58.11a. Fuel switching.*

Will the decision to switch fuel be driven by an assessment of overall household energy usage or by utility preference? If a decision is made to switch fuel, which utility's LIURP will be responsible for paying for the switch? How will disputes be resolved if the partnering utilities cannot reach an agreement on various aspects of the switching process?

#### *Section 58.12. Incidental repairs and health and safety measures.*

##### *Subsection (a) Criteria and services*

When developing the proposed regulation, did the PUC consider adding a specific dollar amount as a minimum for each home repair? What impact would adding a specific dollar amount as a minimum for each home have on both potential customers and a utility's LIURP?

*Subsection (b) Allowances*

Regarding the requirement that incidental repairs and health and safety measures are to have their own spending allowance limits, are utilities required to have separate allowances for both categories?

*Subsection (c) Deferrals*

If a utility decides to defer work on a dwelling under this subsection, are there any timeframes associated with the deferral of the work? Is the deferral temporary or permanent? What obligation does the utility have to follow up with the customer?

What is the need for the reporting requirements of Subsection (c)(2)? What will the PUC do with the information it collects?

*Section 58.13. Energy conservation education.*

New language is being added to Subsection (d). It states, “A public utility shall take reasonable steps to provide energy conservation education activities in the language or the method of communication appropriate to its target audience.” In the Preamble, the PUC explains that this language is consistent with other customer information provisions found at 52 Pa. Code § 56.91(b)(17). The new language of Subsection (d) provides discretion and flexibility to a utility while the language of § 56.91(b)(17) is more specific on what is required. If a utility meets the requirements of § 56.91(b)(17) in its administration of this subsection, will it have satisfied its energy conservation education services requirement?

What are the costs for utilities associated with the new requirement of post-installation education found in Subsection (d)(4)? What are the potential savings for customers? Under issue one of our comments on this proposed rulemaking, we ask the PUC to quantify the fiscal impact of this new requirement. We pose similar questions regarding costs and savings on § 58.14a(f), regarding quality control.

*Section 58.13a. LIURP pilot program.*

What is the need for a pilot program to be approved only through a USECP proceeding? Are there other types of proceedings before the PUC that may be appropriate for the approval of pilot LIURPs?

*Section 58.14. Program measure installation.*

Should space-cooling measures be added to this section of the rulemaking? Does this PUC have the statutory authority to add space-cooling measures?

Under Subsection (d), what role is the utility to have in the securing or warranties for the program measures that have been installed?

*Section 58.14a. Quality control.*

What is the need for a separate complaint process under Subsection (d) beyond the complaint process already available to customers via other PUC regulations?

*Section 58.14b. Use of an ESP for program services.*

Subsection (c) allows a public utility to outsource program services to a single ESP under certain circumstances. How will this provision work with other provisions of the regulation that require separate entities to perform audits and inspections of work performed?

*Section 58.14c. Inter-utility coordination.*

Would the costs associated with inter-utility training fall under the definition of “administrative costs” in § 58.2?

*Section 58.15. LIURP reporting and evaluation.*

How will the data collected under this section assist the PUC in its administration of LIURP? Would the suggestions made by the advocates regarding additional data collection assist the PUC in its administration of LIURP and ultimately assist the recipients of LIURP services? For information or data not currently being collected by a utility, will the PUC provide a timeframe for utilities to start collecting and reporting the data?

As noted previously, specific cost and saving estimates related to this provision must be included in the RAF submitted with the final-form regulation.

**5. Miscellaneous clarity.**

The definition of “de facto hearing” included in the definitions section of this rulemaking but is not used in any other section of the rulemaking and should be deleted.

The definition of “special needs customer” includes a provision that is unclear. It reads as follows, “Are 62 years of age or older but under 6 years of age.” Should the word “but” be replaced with “or”?

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-445. Filed for public inspection March 29, 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>
59-001	Office of Attorney General Automotive Industry Trade Practices	03/19/24	05/16/24

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-446. Filed for public inspection March 29, 2024, 9:00 a.m.]



# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be reviewed 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>
16A-66	Bureau of Professional and Occupational Affairs Consideration of Criminal Convictions	03/15/24	04/18/24
16A-4335	State Board of Chiropractic Fees	03/15/24	04/18/24

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 24-447. Filed for public inspection March 29, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of Tung Hsieh under the Quality Health Care Accountability and Protection Article; AmeriHealth Caritas PA Community Health-Choices; Doc. No. HC24-03-022

Under Article XXI of The Insurance Company Law of 1921, referred to as the Quality Health Care Accountability and Protection Article (40 P.S. §§ 991.2101—991.2194), notice is hereby given that the appellant in this action has requested a hearing, in connection with the appellant’s managed health care plan. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 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 May 2, 2024, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before April 30, 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 April 18, 2024, with the Administrative Hearings Office. The e-mail address to be used for the Administrative Hearings Office is [ra-hearings@pa.gov](mailto:ra-hearings@pa.gov). Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before April 30, 2024.

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

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-448. Filed for public inspection March 29, 2024, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of Mark Washington under the Quality Health Care Accountability and Protection Article; Community Behavioral Health; Doc. No. HC24-03-001

Under Article XXI of The Insurance Company Law of 1921, referred to as the Quality Health Care Accountability and Protection Article (40 P.S. §§ 991.2101—991.2194), notice is hereby given that the appellant in this action has requested a hearing, in connection with the appellant’s managed health care plan. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 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 16, 2024, at 1 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before April 12, 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 April 2, 2024, with the Administrative Hearings Office. The e-mail address to be used for the Administrative Hearings Office is [ra-hearings@pa.gov](mailto:ra-hearings@pa.gov). Answers to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before April 12, 2024.

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

MICHAEL HUMPHREYS,  
*Insurance Commissioner*

[Pa.B. Doc. No. 24-449. Filed for public inspection March 29, 2024, 9:00 a.m.]



## INSURANCE DEPARTMENT

### Ashley Raucci; License Denial Appeal; Doc. No. AG24-03-021

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Ashley Raucci 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 30, 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 26, 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 April 16, 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 26, 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. 24-450. Filed for public inspection March 29, 2024, 9:00 a.m.]

## PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Environmental Assessment Approvals for PENNVEST Funding Consideration

*Scope:* Clean Water and Drinking Water State Revolving Fund Projects for consideration at the April 24, 2024, meeting of the Pennsylvania Infrastructure Investment Authority (PENNVEST) Board.

*Description:* PENNVEST, which administers the Commonwealth’s Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF), is intended to be the funding source for the following projects. The Department of Environmental Protection’s (Department) review of these projects, and the information received in the Environmental Report for these projects, has not identified any significant, adverse environmental impact resulting from any of the proposed projects. The Department hereby approves the Environmental Assessment for each project. If no significant

comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the project will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by Monday, April 22, 2024. Electronic comments should be submitted using the Department’s eComment site at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use “PENNVEST SRF-Environmental Assessment” as the subject line in written communication.

For more information about the approval of the following Environmental Assessments or the CWSRF and DWSRF Programs, contact Richard Wright, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059, [riwright@pa.gov](mailto:riwright@pa.gov), or visit the Department’s web site at [www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx](http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx).

Comments received during the comment period, along with the Department’s comment and response document, will be available on the Department’s web site at [www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx](http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx).

Upon approval, the full list of approved projects and their costs can be found in a press release on PENNVEST’s web site at [www.pennvest.pa.gov](http://www.pennvest.pa.gov).

#### CWSRF Projects Being Considered:

<i>Applicant:</i>	Conyngham-Sugarloaf Joint Municipal Authority
<i>County:</i>	Luzerne
<i>Applicant Address:</i>	245 Main Street Conyngham, PA 18219

*Project Description:* The proposed wastewater treatment plant (WWTP) project at the Conyngham-Sugarloaf Joint Municipal Authority’s WWTP includes the expansion and upgrade of the WWTP from 0.350 MGD to 0.500 MGD. The wastewater treatment process at the existing treatment facility will be upgraded from contact stabilization to a sequencing batch reactor process. Other proposed upgrades to occur at the WWTP include a new influent pump station, screening facility, grit removal system, control building, chemical feed systems, piping and valves, ultraviolet disinfection system, plant water system, effluent flow meter, supervisory control and data acquisition instrumentation, and necessary site work.

*Problem Description:* The WWTP is currently hydraulically overloaded. The proposed upgrades to the WWTP will provide for treatment capacity to address the hydraulic overload conditions.

<i>Applicant:</i>	North Manheim Township Authority
<i>County:</i>	Schuylkill
<i>Applicant Address:</i>	303 Manheim Road Pottsville, PA 17901

*Project Description:* The North Manheim Township Authority proposes to extend the public sewer system along

Garfield Avenue. This extension will add 55 equivalent dwelling units to the service area of the Schuylkill Haven WWTP. The project includes installing 4,800 linear feet (LF) of 8-inch PVC sanitary sewer, 30 each of 4-foot diameter precast concrete manholes, wyes, laterals, cleanouts, utility coordination, traffic control and associated site restoration.

*Problem Description:* A survey was conducted on 21 of the 55 properties that are to be serviced by the proposed sanitary sewer extension to determine the general condition of the onlot disposal systems. The survey indicated a 14.3% confirmed malfunction rate and a 33% suspected malfunction rate of the existing onlot disposal systems.

<i>Applicant:</i>	Bangor Borough Authority
<i>County:</i>	Northampton
<i>Applicant Address:</i>	P.O. Box 51 Bangor, PA 18013

*Project Description:* The Bangor Borough Authority proposes to upgrade its WWTP and collection and conveyance system. Upgrades at the WWTP include adding a new 0.57 million gallon equalization tank to ensure proper treatment during wet weather flows, replacing the control and monitoring system to allow for real-time operational monitoring, replacing the existing screen screw system, installing an effluent flow meter and replacing the headworks pump. Upgrades to the collection and conveyance system include replacing the Walnut Street Pump Station and rehabilitating approximately 12,000 LF of sewer main to address inflow and infiltration. Additionally, the area around the WWTP will be graded to protect it from flooding.

*Problem Description:* Some of the Bangor Borough Authority WWTP components are at the end of their useful life, while other components need upgrading for more efficient and safer operation. Also, the existing equipment at the Walnut Street Pump Station (PS) is antiquated and requires updating to ensure proper and safe functioning. The collection and conveyance system experiences excessive inflow and infiltration during wet weather conditions, resulting in hydraulic and organic overload at the WWTP.

<i>Applicant:</i>	Dallastown Borough
<i>County:</i>	York
<i>Applicant Address:</i>	175 East Broad Street Dallastown, PA 17313

*Project Description:* The Colonial Park Sewer Extension Project includes installing approximately 10,440 LF of 8-inch diameter gravity collection sewers and installing a new submersible wastewater PS. The PS is designed to serve the current residential units and future 75-unit residential development planned for the Deller Farm property. The PS will be served by approximately 1,318 LF of force main. Sewage collected from the project area will be treated at the Springettsbury WWTP.

*Problem Description:* The Colonial Park area of Dallastown Borough consists of 75 existing single-family and 2 dual-family residential homes. Dallastown Borough's Act 537 Sewage Facilities Plan, approved by the Department on September 17, 2015, defined the Colonial Park area as a needs area due to malfunctioning on-lot septic

systems. The Department recommended the construction of new public sewer facilities to serve the area.

<i>Applicant:</i>	Danville Municipal Authority
<i>County:</i>	Montour
<i>Applicant Address:</i>	463 Mill Street Danville, PA 17821

*Project Description:* The Danville Municipal Authority intends to design, construct and operate a new Fisher Court PS and force main and upgrade their WWTP. The new PS will include two 240 gallons per minute submersible pumps, a NEMA 4X control panel and a new generator. The existing 4-inch main will be replaced with approximately 2,340 LF of 6-inch polyvinyl chloride (PVC) main. The flow from the Fisher Court PS force main will be rerouted to the Franklin Street sewer, which is to be completely replaced. Work on the Franklin Street sewer includes replacing 10 manholes, installing 3 new manholes and replacing approximately 3,300 LF of pipes. The existing Fisher Court PS will be demolished. Additionally, a new dewatering building with new dewatering equipment will be constructed at the WWTP.

*Problem Description:* The dewatering equipment, digester mixing equipment and buildings at the WWTP and the Fisher Court PS are at the end of their useful life. There is increased back-pressure and required discharge head at the Fisher Court PS due to buildup in the force main and discharge piping. A 2014 investigation concluded that the buildup has effectively reduced the force main's effective diameter from 4 inches to about 2 inches, thus increasing back-pressure on the aging pumps affecting the pump's ability to deliver its rated capacity.

<i>Applicant:</i>	City of Philadelphia
<i>County:</i>	Philadelphia
<i>Applicant Address:</i>	1401 John F. Kennedy Boulevard Philadelphia, PA 19107

*Project Description:* The Philadelphia Water Department (PWD) proposes to construct a sidestream treatment facility to reduce the ammonia load to the Southwest Water Pollution Control Plant (SWWPCP) and subsequently reduce the amount of ammonia discharged to the Delaware River. This project includes installing two equalization tanks, two deammonification bioreactors and an ancillary building that will house an equipment gallery, process analysis room, a conference room, a control room, an electrical room and a chemical feed room. The proposed sidestream treatment facility will satisfy a commitment that PWD has made to the Delaware River Basin Commission (DRBC) by implementing an early action item towards compliance with future regulations related to ammonia discharges, thereby improving the water quality in the Delaware River.

*Problem Description:* The DRBC Aquatic Life Designated Use Analysis of Attainability Report identified PWD's SWWPCP as a major contributor of the ammonia load and resulting dissolved oxygen reduction in the Delaware River. As such, PWD committed to implementing side-stream treatment at the SWWPCP Biosolids Recycling Center as an early action item.

<i>Applicant:</i>	Bethel Park Municipal Authority
<i>County:</i>	Allegheny
<i>Applicant Address:</i>	5100 West Library Avenue Bethel Park, PA 15102

*Project Description:* The new Grit and Headworks Improvements Project will include connecting or installing the interceptors to the new headworks facility, new in-line flow meters to more accurately measure the plant inflow from its two main interceptors, a new coarse screen upstream of the new wet well, new raw sewage pumps, new fine screens downstream of the new raw sewage pumps along with screenings washing and compacting, new gravity vortex grit removal units and new grit pumps/grit washing and conveyance facilities. The new meters, raw sewage pumps, coarse and fine screens, grit removal head cells and grit pumping/conveyance facilities will all be housed in a new headworks building that will be constructed on the footprint of the old final clarifiers that are no longer in service. The project will also upgrade the plant's solids processing and will include the installation of a new gravity sludge thickener, new solids processing centrifuge, new solids handling pumps and associated sludge removal/conveyance facilities. The project will also include the construction of phosphorus removal facilities that will allow the plant to meet its new National Pollution Discharge Elimination System (NPDES) permit.

*Problem Description:* The existing Piney Fork WWTP currently does not have an effective headworks or grit removal process. As a result, rags and debris are clogging pumps, including the existing raw sewage pumps, and large quantities of grit are being accumulated in the plant's primary clarifiers and digesters. The grit is also damaging existing equipment, such as pump impellers. The raw sewage pumps need servicing after rags/debris accumulate. The primary clarifiers and digesters also need to be taken out of service and manually cleaned multiple times per year. A centrifuge will be installed since the existing belt filter presses are over 30 years old and are no longer manufactured, making obtaining replacement parts and service nearly impossible. An additional driver for the project is the plant's upcoming NPDES permit. The new permit will include a phosphorus limit and the plant currently does not have the appropriate processes in place to remove phosphorus to the permit level required.

*DWSRF Projects Being Considered:*

<i>Applicant:</i>	Altoona Water Authority
<i>County:</i>	Blair
<i>Applicant Address:</i>	900 Chestnut Avenue Altoona, PA 16601

*Project Description:* The Altoona Water Authority is proposing the replacement of approximately 15,000 LF of antiquated 8-inch to 12-inch waterline along Logan Boulevard (SR 0036) from the Plank Road (SR 1001) intersection to the Brushmeade Road (T-601) intersection. This area provides critical water service to several residences and many businesses in Altoona and Hollidaysburg. Replacement of the water main is part of the Altoona Water Authority's short-term and long-term capital improvement plan.

*Problem Description:* The existing 8-inch and 12-inch cast iron waterline was originally installed in the mid-1950s and is approaching an infrastructure age of 70 years. The waterline has reached the end of its serviceable life and replacement is warranted. A majority of the proposed watermain replacement is planned to utilize two construction methods, high-density polyethylene water main installation via horizontal directional drilling, and PVC watermain installation by means of traditional open-cut digging method. The Altoona Water Authority wishes to complete this project prior to the Department of Transportation's planned roadway improvements/paving work project, which is expected to commence in Spring/Summer 2025.

<i>Applicant:</i>	Borough of Freeland Municipal Authority
<i>County:</i>	Luzerne
<i>Applicant Address:</i>	711 Birkback Street Freeland, PA 18224

*Project Description:* The proposed project includes constructing a new 100,000 gallon finished water storage tank with mixer for distribution storage, installing approximately 800 LF of 8-inch water main to extend to the new tank, installing an altitude valve vault and constructing a fiberglass building to house controls. The valve vault will house an altitude valve to actuate based on tank level and a pressure transmitter to monitor and record the tank level. A submersible tank mixer will be installed in the new tank to prevent stagnation and thermal stratification and reduce the potential for ice buildup. The new 100-square-foot fiberglass building will house control panels and will contain a water sampling station. The project will also include the demolition of the existing Upper Lehigh Tank once the new tank is in operation. The modifications will enhance Freeland's ability to operate and maintain its system.

*Problem Description:* The Borough of Freeland Municipal Authority is proposing the Oak Street Water Storage Tank Project to correct deficiencies in its distribution system. Water age due to low turnover is causing poor water quality in areas of its distribution system served by the Upper Lehigh Standpipe. This standpipe is in poor condition and will be demolished as part of the project. In addition, the existing Harding Street elevated storage tank cannot be taken out of service for rehabilitation work while still maintaining adequate pressure and emergency storage for consumers.

<i>Applicant:</i>	Indiana County Municipal Services Authority
<i>County:</i>	Indiana
<i>Applicant Address:</i>	602 Kolter Drive Indiana, PA 15701

*Project Description:* The Indiana County Municipal Services Authority owns and operates several public water systems and is proposing several modifications to the Heilwood System, the Cherry Tree System and the Crooked Creek System. The proposed Heilwood system modifications are as follows: Project 1—the SR 403-Cameron Road project proposes the installation of ap-



proximately 25,933 LF of new waterline and appurtenances in Pine and Buffington Townships, Indiana County. The project also proposes an aboveground metering station; Project 2—the Iverson Road Project proposes installation of approximately 3,530 LF of new waterline and appurtenances along Iverson Road and SR 0422 in Blacklick Township, Cambria County. The project will also include approximately 23 LF of new waterline paralleling SR 0422 in Pine Township, Indiana County where it will connect with the existing system; and Project 3—the School Road Project proposes installation of 11,200 LF of new waterline and appurtenances along School Road in Cherryhill and Pine Townships. The proposed Cherry Tree system modifications are as follows: Project 4—the Penns Manor to Uniontown Project proposes installation of approximately 38,365 LF of waterline and appurtenances in Green Township and Cherryhill Township paralleling SR 580 from Penns Manor to Uniontown. The proposed Crooked Creek system modifications are as follows: Project 5—the East Pike PS Project proposes replacement of the existing underground pump station that is no longer in service in White Township. The existing pump station is no longer able to operate with the current system dynamics. The proposed PS will be an aboveground prefabricated PS; and Project 6—The Ernest Valve Replacement Project proposes replacement of the existing pressure reducing valves (PRV) that are not anticavitation with new anticavitation valves. The Earnest Valve (Ernest PRV) Replacement Project is located in the Borough of Ernest, Indiana County.

*Problem Description:* Project 1—Route 403 Cameron Road Waterline (Heilwood System), the source for the Heilwood System is a mine pool and the Indiana County Municipal Services Authority has concerns that if there is ever a collapse or contamination, there is no backup to this source. The tie-in with the Highridge System is to create redundancy in an emergency situation; Project 2—Route 422 Iverson Road Waterline (Heilwood System), the residents in this area experience poor water quality and quantity; Project 3—School Road Area Waterline (Heilwood System), the residents in this area experience poor water quality and quantity. There is no emergency backup; Project 4—Penns Manor to Uniontown Waterline, residents in this area experience poor water quality and many issues with manganese; Project 5—East Pike PS (White Township, Crooked Creek System), the Indiana County Municipal Services Authority wants to establish another supply source for emergency situations and a backup source for the Indiana County Jail and State Correctional Institution Pine Grove Prison; and Project 6—Ernest Valve Replacement, the existing 2-inch and 6-inch PRVs are not anticavitation. New PRVs will provide optimum downstream pressure control, reduce noise and eliminate the damage associated with cavitation.

JESSICA SHIRLEY,  
*Interim Acting Secretary*  
*Department of Environmental Protection*

ROBERT H. BOOS,  
*Executive Director*  
*Pennsylvania Infrastructure Investment Authority*

[Pa.B. Doc. No. 24-451. Filed for public inspection March 29, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Default Service Program and Procurement Plan; Telephonic Prehearing Conference

**P-2024-3047290. PPL Electric Utilities Corporation.** Petition of PPL Electric Utilities Corporation for approval of a default service program and procurement plan for the period from June 1, 2025, through May 31, 2029 (DSP VI Program).

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 19, 2024. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the petitioner and a copy provided to the Administrative Law Judge. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the petitioner’s business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and by Counsel:* Kimberly A. Klock, Esquire; Michael J. Shafer, Esquire; PPL Services Corporation, Two North Ninth Street, Allentown, PA 18101

### Telephonic Prehearing Conference

A telephonic prehearing conference on the previously captioned case will be held as follows:

<i>Date:</i>	Friday, April 26, 2024
<i>Time:</i>	10 a.m.
<i>Presiding:</i>	Administrative Law Judge F. Joseph Brady Suite 4063 801 Market Street Philadelphia, PA 19107 (215) 560-2105 fax (717) 231-4764

To participate in the telephonic prehearing conference, individuals must:

- Dial the following toll-free conference number.
- Enter the following PIN number when instructed to do so.
- Speak the individual’s name when prompted.

The telephone system will connect individuals to the telephonic prehearing conference.

Toll-free conference number: (877) 874-1047  
PIN Number: 11738422

Individuals representing themselves are not required to be represented by an attorney. Corporations, partnerships, associations, trusts or governmental agencies or subdivisions must be represented by an attorney. An attorney representing individuals should file a notice of appearance before the scheduled hearing date.

Individuals who require an interpreter to participate in the telephonic prehearing conference—the Pennsylvania Public Utility Commission (Commission) will make every reasonable effort to have an interpreter present. E-mail Pam McNeal, Legal Assistant, at pmcneal@pa.gov, or call the regional office at (215) 560-3133. The request should be received at least 5 business days prior to the hearing to ensure one is available.



Individuals who are deaf or hearing-impaired should dial (800) 654-5988 for the Pennsylvania Hamilton Relay Service.

The Commission offers a free eFiling Subscription Service which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission's web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at [http://www.puc.pa.gov/Documentation/eFiling\\_Subscriptions.pdf](http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf).

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 24-452. Filed for public inspection March 29, 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 15, 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 15, 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-2024-3047059. Medi-Trans Group, LLC** (3607 Rosemont Avenue, Suite 403, Camp Hill, Cumberland County, PA 17070) persons in paratransit service, between points in the Counties of Adams, Allegheny, Armstrong, Beaver, Berks, Bucks, Butler, Cambria, Chester, Clarion, Clearfield, Crawford, Cumberland, Delaware, Erie, Fayette, Franklin, Indiana, Juniata, Lackawanna, Lancaster, Lawrence, Lebanon, Lehigh, Luzerne, Montgomery, Northampton, Perry, Philadelphia, Schuylkill, Snyder, Somerset, Washington, Westmoreland and York.

**A-2024-3045409. Heartline Transport, LLC** (1542 Oakland Street, Bethlehem, Northampton County, PA 18017) to transport persons, by motor vehicle, in paratransit service, from points in the Counties of Lehigh and Northampton, to points in Pennsylvania, and return.

**A-2024-3046389. Voyage Limousine, Inc.** (1833 Strahle Street, Philadelphia, PA 19152) persons in limou-

sine service, between points in Pennsylvania, excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David P. Temple, 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

**A-2024-3046748. Book A Car PA, Inc.** (1833 Strahle Street, Philadelphia, PA 19152) persons in limousine service, between points in Pennsylvania, excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David P. Temple, 111 Buck Road, Building 500, Suite 1, Huntingdon Valley, PA 19006.

**A-2024-3047208. Good Fellowship Club of Chester County, Inc., t/a Good Fellowship Ambulance** (600 Montgomery Avenue, West Chester, Chester County, PA 19380) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, between points in Chester County.

#### Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

**A-2024-3047228. Rapid Transit Co.** (P.O. Box 327, Erie, Erie County, PA 16512) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, household goods in use, as more thoroughly described in the original ordering paragraphs at A-00015034.

**A-2024-3047306. Executive Trans, Inc.** (48 East Hillcrest Street, Chalfont, Bucks County, PA 18914) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Bensalem, Bucks County, to points in Pennsylvania, and return; excluding service under the jurisdiction of the Philadelphia Parking Authority.

**A-2024-3047309. Party Bus Partners, LLC** (1609 Mack Street, Natrona Heights, Allegheny County, PA 15065) for the discontinuance and cancellation of its right to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points within a 30-mile radius of 1605 Mack Street, Natrona Heights, Allegheny County, PA 15065, as originally docketed at A-2022-3032900.

**A-2024-3047446. Salvatore M. Campadonico** (1239 Lampeter Road, Lancaster, Lancaster County, PA 17602) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-2008-2053577, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

**A-2024-3047455. Signature Sedan Service, Inc.** (124 Marita Street, Philadelphia, PA 19116) for the discontinuance and cancellation of its right, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Bucks, Chester, Delaware, Lehigh and Montgomery, as originally docketed at A-2012-2325962.

**A-2024-3047460. Kuhn Transportation, LLC** (3 Adventure Lane, Jim Thorpe, Carbon County, PA 18229) for the discontinuance and cancellation of its right, to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of

Carbon, Lehigh, Monroe, Northampton and Schuylkill to the following airports: Queen City and Lehigh Valley International, located in the City of Allentown, Lehigh County; Slatington, located in the Borough of Slatington, Lehigh County; Wyoming Valley and Wilkes-Barre/Scranton, located in the City of Wilkes-Barre, Lackawanna County; Beltzville, located in the Township of Franklin, Carbon County; Jake Amer Memorial, located in the Township of Mahoning, Carbon County; Hazleton Municipal, located in the City of Hazleton, Luzerne County; Flying Dollar, located in the Borough of Canadensis, Monroe County; Stroudsburg-Pocono, located in the Borough of Mount Pocono, Monroe County; and Braden Airpark, located in the City of Easton, Northampton County, as originally docketed at A-2011-2258008.

**A-2024-3047462. Kuhn Transportation, LLC** (3 Adventure Lane, Jim Thorpe, Carbon County, PA 18229) for the discontinuance and cancellation of its right, to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Carbon, Lehigh, Monroe and Schuylkill, to points in Pennsylvania, and return, as originally docketed at A-2011-2223613.

**A-2024-3047472. West County Paramedic Association** (6852 Meadville Road, Girard, Erie County, PA 16417) for the discontinuance and cancellation of its right to transport persons, in paratransit service, between points in the County of Erie, and from points in the County of Erie, to points in the Counties of Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Fayette, Forest, Greene, Lawrence, Mercer, Venango, Warren, Washington and Westmoreland, and vice versa, as originally docketed at A-00116346.

**A-2024-3047490. Kevin A. O'Donnell, t/a Allway's Limo** (1001 Sweinhart Road, Boyertown, Berks County, PA 19512) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in limousine service, as more thoroughly described in the original ordering paragraphs at A-00107271.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-453. Filed for public inspection March 29, 2024, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications; TruConnect Communications, Inc.; Doc. No. P-2024-3045567

The Pennsylvania Public Utility Commission (Commission) invites comment on the following petition for designation as an eligible telecommunications carrier (ETC) in this Commonwealth: TruConnect Communications, Inc., Doc. No. P-2024-3045567.

On August 2, 2010, at Docket No. M-2010-2164741, the Commission entered an Order adopting a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. For the Final Policy Statement, see 52 Pa. Code § 69.2501 (relating to standards applicable for designation and annual certification as an eligible telecommunications carrier, for purposes of obtaining Federal

universal service support). The Final Policy Statement became effective on October 2, 2010. See 40 Pa.B. 5586 (October 2, 2010).

This notice, upon publication in the *Pennsylvania Bulletin*, serves as constructive notice under 45 Pa.C.S. § 725 (relating to additional contents of *Pennsylvania Bulletin*) that the previously referenced ETC petition has been filed and that the Commission intends to act on the petition now pending before the Commission. Under 52 Pa. Code § 5.61 (relating to answers to complaints, petitions, motions and preliminary objections), telecommunications providers and interested persons will have 20 days after publication of this notice in the *Pennsylvania Bulletin* to file an answer. Thereafter, the petitioner has 10 days to file and serve its response.

Filings must reference Docket No. P-2024-3045567 and may be filed by first class mail or eFiled through the Commission's web site. The pending petition may be viewed at and downloaded from the Commission's web site at <http://www.puc.pa.gov> or individuals may request hard copies for a fee by written request to the Pennsylvania Public Utility Commission, Secretary Rosemary Chiavetta, 400 North Street, Harrisburg, PA 17120.

Confidential filings should be clearly marked as such and e-mailed directly to Commission Secretary, Rosemary Chiavetta, at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov) or sent by first class mail to the previously listed address.

The contact for questions regarding this notice is Rhonda L. Daviston, Assistant Counsel, Law Bureau, (717) 787-6166.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 24-454. Filed for public inspection March 29, 2024, 9:00 a.m.]

## STATE ETHICS COMMISSION

### Public Meeting; Harrisburg

Under 65 Pa.C.S. §§ 1101—1113 (relating to Public Official and Employee Ethics Act) (act), the State Ethics Commission (Commission) is required to hold at least two public hearings each year to seek input from persons and organizations who represent any individual subject to the provisions of the act and from other interested parties.

The Commission will conduct a public meeting in Room 307, Finance Building, Harrisburg, PA on April 9, 2024, beginning at 9 a.m. for purposes of receiving the input and for the conduct of other agency business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present any statement, information or other comments in relation to the act, the regulations of the Commission or agency operations should contact Julie Gibson at (717) 783-1610 or (800) 932-0936. Written copies of any statement should be provided at the time of the meeting.

MARY W. FOX,  
*Executive Director*

[Pa.B. Doc. No. 24-455. Filed for public inspection March 29, 2024, 9:00 a.m.]

## STATE HORSE RACING COMMISSION

### Amended Occupational License Fee Schedule

The State Horse Racing Commission (Commission), under the authority of 3 Pa.C.S. § 9312(3) (relating to additional powers of commission) of the Race Horse Industry Reform Act (act) and 7 Pa. Code § 185.5 (relating to occupational license fees), amends its comprehensive occupational license fee schedule as follows. The Commission previously published its license fee schedule in the *Pennsylvania Bulletin* at 46 Pa.B. 6206 (October 1, 2016).

The act requires the Commission to license all persons participating in horse racing activities within this Commonwealth including trainers, drivers, horse owners, jockeys, racing vendors and all other persons required to be licensed as determined by the Commission (3 Pa.C.S. § 9323(a) (relating to occupational licenses for individuals)). The Commission has not modified or increased its licensing fees since 2016. The new fees set forth as follows will supersede the previously approved and published fee schedule and will become effective on May 1, 2024. This notice will be also posted on the Commission’s web site.

Licenses are issued for a 3-year term, unless otherwise directed by the Commission. If fingerprinting is required, a separate fingerprint processing fee must be added to the classification as established. Licensees with questions may contact the Commission office at each respective racetrack for details.

<i>License Classification</i>	<i>Fee Amount</i>
Owner	\$150*
Owner/Trainer	\$300*
Trainer	\$150*
Assistant Trainer	\$75
Driver	\$150*
Groom	\$30
Jockey	\$150*
Jockey Agent	\$45
Apprentice Jockey	\$60
Partnership	\$60
Stable	\$60
Farrier/Blacksmith	\$60
Exercise Rider	\$30
Pony Person	\$30
Stable Employee	\$30
Veterinarian	\$150*
Racing Official	\$100
Track Management	\$150*
Track Employee	\$30
Vendor	\$60
Vendor Employee	\$30
Open Claiming	\$45

<i>License Classification</i>	<i>Fee Amount</i>
Estate	\$40
Executor	\$40
Authorized Agent (1-year license)	\$35
Duplicate Licenses	\$25

Only licenses designated by an asterisk (\*) have been increased. Other licenses will remain unchanged from 2016.

The 2016 license categories for “Colors,” “Concession” and “Pari-Mutuel” have been eliminated.

RUSSELL REDDING,  
*Chairperson*

[Pa.B. Doc. No. 24-456. Filed for public inspection March 29, 2024, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Actions Taken at the March Meeting

As part of its regular business meeting held on March 14, 2024, in Harrisburg, PA, the Susquehanna River Basin Commission (Commission) approved the applications of certain water resources projects and took additional actions, as set forth in the Supplementary Information as follows.

The business meeting was held on March 14, 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. Also see the Commission web site at www.srbc.gov.

#### *Supplementary Information*

In addition to the actions taken on projects identified in the previous summary, the following actions were also taken: (1) approved one grant agreement; (2) adopted General Permit GP-03; (3) approved an authorization to release a proposed rulemaking regarding agency procurement for public comment; and (4) actions on 25 regulatory program projects.

#### *Project Applications Approved:*

1. Project Sponsor and Facility: ADLIB Resources, Inc. (Meshoppen Creek), Springville Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20190301).

2. Project Sponsor and Facility: Beech Resources, LLC (Lycoming Creek), Lycoming Township, Lycoming County, PA. Application for surface water withdrawal of up to 1.500 mgd (peak day).

3. Project Sponsor and Facility: Cherokee Pharmaceuticals, LLC (Susquehanna River), Riverside Borough, Northumberland County, PA. Modification to extend the approval terms of the consumptive use and surface water withdrawal approvals (Docket Nos. 20090310 and 20090311) while the facility begins to decommission operations through 2028, and a phased reduction in the



surface water withdrawal from 34.392 mgd to 5.100 mgd (peak day) and consumptive use from 0.999 mgd to 0.200 mgd (peak day).

4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Braintrim Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 3.000 mgd (peak day) (Docket No. 20190303).

5. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Wysox Township, Bradford County, PA. Modification to increase surface water withdrawal by an additional 2.001 mgd (peak day) for a total withdrawal of up to 3.000 mgd (peak day) (Docket No. 20220603).

6. Project Sponsor and Facility: Conestoga Country Club, Manor Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.281 mgd (30-day average) from Well 1 (Docket No. 20080617).

7. Project Sponsor: Dauphin County General Authority. Project Facility: Highlands Golf Course, Swatara Township, Dauphin County, PA. Application for renewal of consumptive use of up to 0.249 mgd (30-day average) (Docket No. 19940104).

8. Project Sponsor: East Hempfield Township. Project Facility: Four Seasons Golf Club, East Hempfield Township, Lancaster County, PA. Applications for renewal of groundwater withdrawal of up to 0.199 mgd (30-day average) from Well C and consumptive use of up to 0.304 mgd (peak day) (Docket No. 19970504).

9. Project Sponsor: Golf Enterprises, Inc. Project Facility: Valley Green Golf Course, Newberry Township, York County, PA. Application for renewal of consumptive use of up to 0.099 mgd (30-day average) (Docket No. 20021019).

10. Project Sponsor: Greater Hazleton Community-Area New Development Organization, Inc. Project Facility: CAN DO, Inc.—Corporate Center, Butler Township, Luzerne County, PA. Application for groundwater withdrawal of up to 0.288 mgd (30-day average) from Well 2.

11. Project Sponsor and Facility: Greylock Production, LLC (Genesee Forks), Hector Township, Potter County, PA. Application for surface water withdrawal of up to 1.440 mgd (peak day).

12. Project Sponsor and Facility: Greylock Production, LLC (Pine Creek), Ulysses Township, Potter County, PA. Application for surface water withdrawal of up to 2.592 mgd (peak day).

13. Project Sponsor and Facility: Hegins-Hublely Authority, Hegins Township, Schuylkill County, PA. Application for renewal of groundwater withdrawal of up to 0.110 mgd (30-day average) from Well 5 (Docket No. 19981204).

14. Project Sponsor and Facility: Keystone Potato Products, LLC, Frailey Township, Schuylkill County, PA. Applications for groundwater withdrawal of up to 0.140 mgd (30-day average) from Well 2 and consumptive use of up to 0.140 mgd (30-day average).

15. Project Sponsor: New Enterprise Stone & Lime Co., Inc. Project Facility: Laflin Quarry, Plains Township, Luzerne County, PA. Modification to increase consumptive use by an additional 0.240 mgd (30-day average) for a total consumptive use of up to 0.280 mgd (30-day average) (Docket No. 20230613).

16. Project Sponsor and Facility: New Holland Borough Authority, Earl Township, Lancaster County, PA.

Application for groundwater withdrawal of up to 0.391 mgd (30-day average) from Well 1.

17. Project Sponsor: Post Consumer Brands, LLC. Project Facility: Bloomsburg Plant, South Centre Township, Columbia County, PA. Applications for renewal of groundwater withdrawal of up to 0.530 mgd (30-day average) from Well 6 and consumptive use of up to 0.800 mgd (peak day) (Docket No. 19910709).

18. Project Sponsor and Facility: PPG Operations, LLC (West Branch Susquehanna River), Goshen Township, Clearfield County, PA. Modification to review withdrawal and approval for use of AMD-impacted water under Commission Policy No. 2021-04 (Docket No. 20210605).

19. Project Sponsor: Rich Valley Golf, Inc. Project Facility: Rich Valley Golf Course (Conodoguinet Creek), Silver Spring Township, Cumberland County, PA. Applications for renewal of surface water withdrawal of up to 0.325 mgd (peak day) and consumptive use of up to 0.325 mgd (30-day average) (Docket No. 19990306).

20. Project Sponsor and Facility: Seneca Resources Company, LLC (Cowanesque River), Westfield Township, Tioga County, PA. Application for renewal of surface water withdrawal of up to 0.375 mgd (peak day) (Docket No. 20190311).

21. Project Sponsor: Shadow Ranch Resort, Inc. Project Facility: Shadowbrook Resort (Tunkhannock Creek), Tunkhannock Township, Wyoming County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20190307).

22. Project Sponsor and Facility: Sugar Hollow Water Services, LLC (Martins Creek), Hop Bottom Borough, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.360 mgd (peak day) (Docket No. 20190310).

23. Project Sponsor and Facility: SWN Production Company, LLC (Martins Creek), Brooklyn Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.997 mgd (peak day) (Docket No. 20190312).

#### *Projects Tabled:*

1. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.115 mgd (30-day average) from Well 2A (Docket No. 19990901).

2. Project Sponsor and Facility: Newport Borough Water Authority, Oliver Township, Perry County, PA. Application for early renewal of groundwater withdrawal at an increased rate of up to 0.096 mgd (30-day average) from Well 1 (Docket No. 20140908).

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* March 15, 2024

ANDREW D. DEHOFF,  
*Executive Director*

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