

PENNSYLVANIA BULLETIN

Volume 53

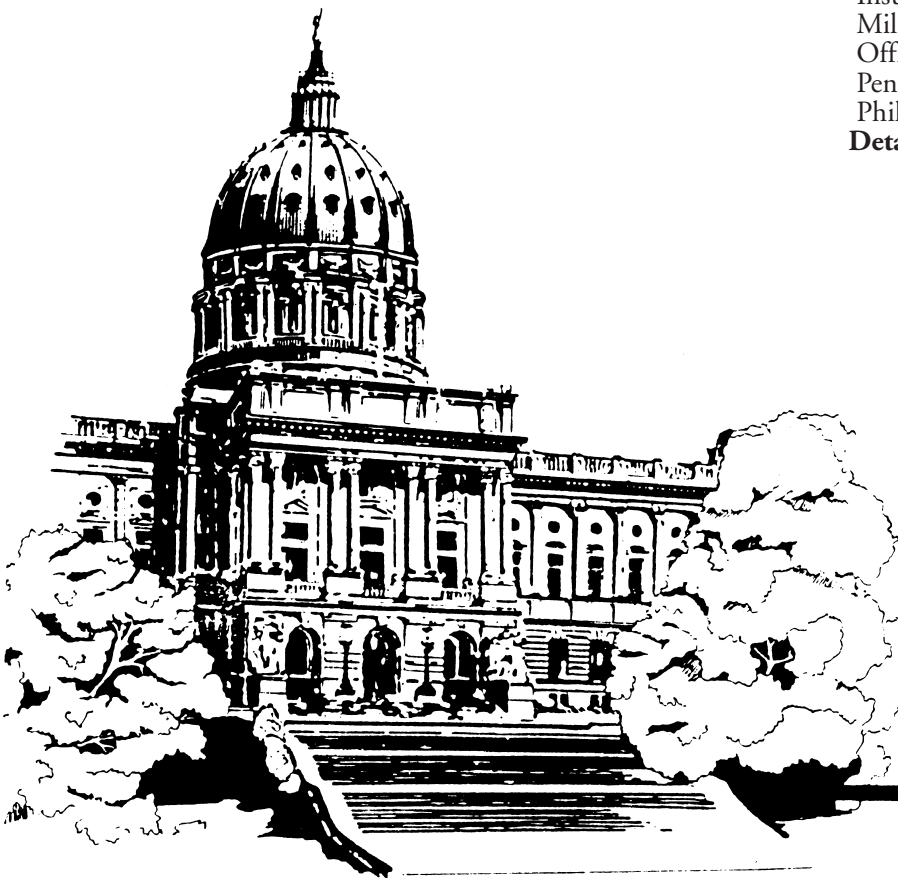
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Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Revenue
Fish and Boat Commission
Insurance Department
Milk Marketing Board
Office of Attorney General
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 582, May 2023

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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 2023.

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6	7, 704
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210 Pa. Code (Appellate Procedure)

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225 Pa. Code (Rules of Evidence)**Adopted Rules**

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1920 1161

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13 1791

14 1791

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300 1057

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Unclassified 2041

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1509, 1664, 1665, 1800, 1804, 1928, 2045, 2162, 2292,
2296, 2297, 2304, 2416

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 19]

Amendments to Rule 1905 of the Pennsylvania Rules of Judicial Administration; No. 593 Judicial Administration Docket

Order

Per Curiam

And Now, this 1st day of May, 2023, it is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1905 of the Pennsylvania Rules of Judicial Administration is amended in the form attached.

To the extent that notice of proposed rulemaking would otherwise be required by Pa.R.J.A. 103, the immediate promulgation of the amendments is found to be in the interest of efficient administration.

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

Additions are bolded and are underlined.

Deletions are bolded and are bracketed.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 19. MISCELLANEOUS ADMINISTRATIVE PROVISIONS

MISCELLANEOUS ADMINISTRATIVE PROVISIONS

Rule 1905. Investment Advisory Board.

(a) *General*. There is hereby established the Investment Advisory Board (“Board”), which shall consist of [**eight**] **nine** voting members. The Supreme Court shall appoint [**four (4)**] **five** members **and the Board’s chair**. The Disciplinary Board of the Supreme Court, the Pennsylvania Lawyers Fund for Client Security Board, the Pennsylvania Continuing Legal Education Board and the Pennsylvania Board of Law Examiners (“the program boards”) shall each appoint one [**(1)**] member to serve on the Board. The Court Administrator **and Counsel to the Supreme Court** shall serve as [**an**] **ex officio members** to the Board. All members of the Board shall serve at the pleasure of the Supreme Court. [**The Board shall annually designate its chair.**]

(b) *Qualifications*. **To the extent possible**, [**A**] all appointees to the Board shall possess knowledge and expertise in investments and knowledge of public sector investment funds. If no current program board member is professionally qualified or able to serve on the Board, the program board will appoint a prior Board member or a non-program board member with the requisite expertise.

(c) *Responsibilities*. The Board shall provide recommendations to the Supreme Court with regard to the development and implementation of an investment policy for the program boards that will maximize investment yields while minimizing risk. In addition, the Board shall provide oversight and monitoring of the activity of the investment portfolios. On a fiscal year basis, the Board shall provide the Supreme Court with a review of its

activities and appropriate recommendations for further action. The Board’s fiscal year shall begin on July 1 and end on June 30.

(d) *Procedure*. All actions of the Board shall be determined by majority vote. The Court Administrator of Pennsylvania will have no voting power except in the case of a tie. **Counsel to the Supreme Court will serve as a non-voting member.**

(e) *Administrative*. The Administrative Office of Pennsylvania Courts shall provide necessary administrative assistance to the Board and shall pay the cost thereof as well as the necessary travel and other expenses of the members of the Board, all staff and any representative of the Supreme Court. The AOPC shall be reimbursed by the program boards for their pro rata share of necessary travel and other expenses.

(f) *Immunity*. Members of the Board, its staff and any other representative of the Supreme Court to the Board shall be immune from civil suit for any conduct in the course of their official duties. Legal costs incurred by Board members in defense of such matters will be borne by the Board but passed through to the program boards in accordance with Rule 1905(e). Such costs must be approved by the Board prior to being obligated for payment or reimbursement.

Comment

In 2001, the Supreme Court asked the Administrative Office of Pennsylvania Courts to review the investment activities of the Court’s three affiliated boards (the Disciplinary Board, Pennsylvania Lawyers Fund for Client Security and the Pennsylvania Continuing Legal Education Board) and to make recommendations for the improved investment stability, performance, operation and cost efficiencies of the boards’ investments. Following collection of information and consultation with investment advisors, the AOPC recommended the formation of an Investment Advisory Board to assist the Supreme Court in its oversight and consolidation of investment portfolios that would enhance returns and reduce investment fees. In 2007 the Pennsylvania Board of Law Examiners became a program board member.

[Pa.B. Doc. No. 23-627. Filed for public inspection May 12, 2023, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1915]

Proposed Adoption of Pa.R.Civ.P. 1915.3-3 and 1915.3-4 and Amendment of Pa.R.Civ.P. 1915.3-2, 1915.4-4, 1915.7, 1915.10, 1915.15, and 1915.25

The Domestic Relations Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the adoption of Pa.R.Civ.P. 1915.3-3 and 1915.3-4 and the amendment of Pa.R.Civ.P. 1915.3-2, 1915.4-4, 1915.7, 1915.10, 1915.15, and 1915.25 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the

Pennsylvania Bulletin for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Lynnore K. Seaton, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by July 5, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

DAVID S. POLLOCK, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

(Editor's Note: Pa.R.Civ.P. 1915.3-2 as printed in 231 Pa. Code reads "Official Note" rather than "Note.")

Rule 1915.3-2. Criminal Record or Abuse History.

[(a) *Criminal Record or Abuse History Verification.* A party must file and serve with the complaint, any petition for modification, any counterclaim, any petition for contempt or any count for custody in a divorce complaint or counterclaim a verification regarding any criminal record or abuse history of that party and anyone living in that party's household. The verification shall be substantially in the form set forth in subdivision (c) below. The party must attach a blank verification

form to a complaint, counterclaim or petition served upon the other party. Although the party served need not file a responsive pleading pursuant to Rule 1915.5, he or she must file with the court a verification regarding his or her own criminal record or abuse history and that of anyone living in his or her household on or before the initial in-person contact with the court (including, but not limited to, a conference with a conference officer or judge or conciliation, depending upon the procedure in the judicial district) but not later than 30 days after service of the complaint or petition. A party's failure to file a Criminal Record or Abuse History Verification may result in sanctions against that party. Both parties shall file and serve updated verifications five days prior to trial.

(b) *Initial Evaluation.* At the initial in-person contact with the court, the judge, conference officer, conciliator or other appointed individual shall perform an initial evaluation to determine whether the existence of a criminal or abuse history of either party or a party's household member poses a threat to the child and whether counseling is necessary. The initial evaluation required by 23 Pa.C.S. § 5329(c) shall not be conducted by a mental health professional. After the initial evaluation, the court may order further evaluation or counseling by a mental health professional if the court determines it is necessary. Consistent with the best interests of the child, the court may enter a temporary custody order on behalf of a party with a criminal history or a party with a household member who has a criminal history, pending the party's or household member's evaluation and/or counseling.

***Note:* The court shall consider evidence of criminal record or abusive history presented by the parties. There is no obligation for the court to conduct an independent investigation of the criminal record or abusive history of either party or members of their household. The court should not consider ARD or other diversionary programs. When determining whether a party or household member requires further evaluation or counseling, or whether a party or household member poses a threat to a child, the court should give consideration to the severity of the offense, the age of the offense, whether the victim of the offense was a child or family member and whether the offense involved violence.**

(c) *Verification.* The verification regarding criminal or abuse history shall be substantially in the following form:

(Caption)

CRIMINAL RECORD/ABUSE HISTORY VERIFICATION

I _____, hereby swear or affirm, subject to penalties of law including 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities that:

1. Unless indicated by my checking the box next to a crime below, neither I nor any other member of my household have been convicted or pled guilty or pled no contest or was adjudicated delinquent where the record is publicly available pursuant to the Juvenile Act, 42 Pa.C.S. § 6307 to any of the following crimes in Pennsylvania or a substantially equivalent crime in any other jurisdiction including pending charges:

<i>Check all that apply</i>	<i>Crime</i>	<i>Self</i>	<i>Other household member</i>	<i>Date of conviction, guilty plea, no contest plea or pending charges</i>	<i>Sentence</i>
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2901 (relating to kidnapping)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2902 (relating to unlawful restraint)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2903 (relating to false imprisonment)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3121 (relating to rape)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
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<input type="checkbox"/>	18 Pa.C.S. § 3125 (relating to aggravated indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3126 (relating to indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
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<input type="checkbox"/>	18 Pa.C.S. § 3301 (relating to arson and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4302 (relating to incest)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4303 (relating to concealing death of child)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4304 (relating to endangering welfare of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4305 (relating to dealing in infant children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5902(b) (relating to prostitution and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials and performances)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6301 (relating to corruption of minors)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6312 (relating to sexual abuse of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6318 (relating to unlawful contact with minor)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

<i>Check all that apply</i>	<i>Crime</i>	<i>Self</i>	<i>Other household member</i>	<i>Date of conviction, guilty plea, no contest plea or pending charges</i>	<i>Sentence</i>
<input type="checkbox"/>	18 Pa.C.S. § 6320 (relating to sexual exploitation of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	23 Pa.C.S. § 6114 (relating to contempt for violation of protection order or agreement)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Driving under the influence of drugs or alcohol	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

2. Unless indicated by my checking the box next to an item below, neither I nor any other member of my household have a history of violent or abusive conduct, or involvement with a Children & Youth agency, including the following:

<i>Check all that apply</i>	<i>Self</i>	<i>Other household member</i>	<i>Date</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse:

4. If any conviction above applies to a household member, not a party, state that person's name, date of birth and relationship to the child.

5. If you are aware that the other party or members of the other party's household has or have a criminal record/abuse history, please explain:

I verify that the information above is true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Signature

Printed Name]

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

- (a) *Criminal Record/Abuse History Verification.*
- (1) *Confidential Document.* A party's filed Criminal Record/Abuse History Verification form shall be confidential and shall not be publicly accessible.
- (2) *Plaintiff or Petitioner.* Contemporaneous with filing a custody action or a contempt proceeding, the plaintiff or petitioner shall:
 - (i) complete, sign, and file with the prothonotary a Criminal Record/Abuse History Verification form for the party and anyone living in that party's household, as provided in subdivision (c); and

- (ii) serve the complaint, petition, or counterclaim on the defendant or respondent with:
 - (A) a copy of the filed Criminal Record/Abuse History Verification form; and
 - (B) a blank Criminal Record/Abuse History Verification form for the defendant or respondent to complete and file.
- (3) *Defendant or Respondent.* After being served pursuant to subdivision (a)(2)(ii), the defendant or respondent shall:
 - (i) complete, sign, and file with the prothonotary the Criminal Record/Abuse History Verification form for that party and anyone living in that party's household before the initial in-person contact with the court or within 30 days of service of the initiating pleading, whichever occurs first; and
 - (ii) serve a copy of the filed Criminal Record/Abuse History Verification form on the other parties.
- (4) *Updating Criminal Record/Abuse History Verification Form.* A party shall complete, sign, file with the prothonotary, and serve on the other parties an updated Criminal Record/Abuse History Verification form either five days after any change in circumstances, or no less than one day before any proceeding, whichever occurs first. A change in circumstances shall apply to the party, as well as any household members.
- (5) *Sanctions.* A party's failure to file an initial or updated Criminal Record/Abuse History Verification form may result in sanctions against that party.
 - (b) *Evaluation.*
 - (1) *Initial Evaluation.* During the initial in-person custody proceeding, the judge, conference officer, conciliator, or other appointed individual shall evaluate whether a party or household member poses a threat to the child.
 - (i) In determining whether a party or household member poses a threat to the child or requires an additional evaluation or counseling, as provided in 23 Pa.C.S. § 5329(c)—(e), the judge, conference officer, conciliator, or other appointed individual shall consider:
 - (A) the party's Criminal Record/Abuse History Verification form; and
 - (B) other information or documentation of the party's or household member's criminal record or abuse history that is provided by either party.
 - (ii) To the extent a party or household member has a criminal record relating to an enumerated offense in 23 Pa.C.S. § 5329(a) or an abuse history, the judge, conference officer, conciliator, or other appointed individual shall consider:
 - (A) the severity of the offense or abuse;
 - (B) when the offense or abuse occurred;
 - (C) if the victim was a child or family member; and
 - (D) whether the offense or abuse involved physical violence.
 - (2) *Additional Evaluation or Counseling.* If the initial evaluation set forth in subdivision (b)(1) determines that a party or household member poses a threat to the child, the conference officer, conciliator, or other appointed individual conducting the evaluation may recommend to the judge, and the judge may order:
 - (i) a party or party's household member to undergo an additional evaluation or counseling by a mental health professional appointed by the court; or
 - (ii) temporary custody pending the additional evaluation or counseling.
 - (c) *Form.* The verification regarding criminal record or abuse history shall be substantially in the following form:

(Caption)

CRIMINAL RECORD/ABUSE HISTORY VERIFICATION

REPORT OF CHILD ABUSE AND PROTECTIVE SERVICES REQUESTED BY COURT

(Court may use the first page of the parties' criminal record/abuse history verification or may complete a new form.)

1. *Participants.* Please list ALL adult members in your/the participant's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

_____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701—6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

Please list ALL members in the opposing party's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

_____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, and/or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. § 6701—6713, and/or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

SUBJECT CHILD(REN)—Attach additional sheets if necessary:

Name	Date of Birth

End of Page 1

2. *Criminal Offenses.* As to the following listed Pennsylvania crimes or offenses, or another jurisdiction's substantially equivalent crimes or offenses, check the box next to any applicable crime or offense in which you or a household member:

- has pleaded guilty or no contest;
- has been convicted;
- has charges pending; or
- has been adjudicated delinquent under the Juvenile Act, 42 Pa.C.S. §§ 6301—6375, and the record is publicly available as set forth in 42 Pa.C.S. § 6307.

You should also check the box next to a listed criminal offense even if the offense was resolved by Accelerated Rehabilitative Disposition (ARD) or another diversionary program, unless it has been expunged pursuant to 18 Pa.C.S. § 9122, or a court has entered an order for limited access, *e.g.*, Clean Slate, pursuant to 18 Pa.C.S. §§ 9122.1 or 9122.2.

<i>Check all that apply</i>	<i>Crime</i>	<i>Self</i>	<i>Other household member</i>	<i>Date of conviction, guilty plea, no contest plea, or pending charges</i>	<i>Sentence</i>
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2718 (relating to strangulation)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2901 (relating to kidnapping)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2902 (relating to unlawful restraint)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2903 (relating to false imprisonment)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. Ch. 30 (relating to human trafficking)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3121 (relating to rape)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3124.1 (relating to sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

<i>Check all that apply</i>	<i>Crime</i>	<i>Self</i>	<i>Other household member</i>	<i>Date of conviction, guilty plea, no contest plea, or pending charges</i>	<i>Sentence</i>
<input type="checkbox"/>	18 Pa.C.S. § 3125 (relating to aggravated indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3126 (relating to indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3127 (relating to indecent exposure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3129 (relating to sexual intercourse with animal)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3130 (relating to conduct relating to sex offenders)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3301 (relating to arson and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4302 (relating to incest)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4303 (relating to concealing death of child)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4304 (relating to endangering welfare of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4305 (relating to dealing in infant children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5902(b) or (b.1) (relating to prostitution and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials and performances)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6301 (relating to corruption of minors)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6312 (relating to sexual abuse of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6318 (relating to unlawful contact with minor)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6320 (relating to sexual exploitation of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Finding of contempt of a Protection from Abuse order or agreement under 23 Pa.C.S. § 6114	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Finding of contempt of a Protection of Victims of Sexual Violence and Intimidation order or agreement under 42 Pa.C.S. § 62A14	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Driving under the influence of drugs or alcohol	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Manufacture, sale, delivery, holding, offering for sale, or possession of any controlled substance or other drug or device	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

3. *Abuse or Agency Involvement.* Check the box next to any statement that applies to you, a household member, or your child.

<i>Check all that apply</i>	<i>Self</i>	<i>Household Member</i>	<i>Child</i>	
<input type="checkbox"/>	Involvement with a children and youth social service agency in Pennsylvania or a similar agency in another jurisdiction. What jurisdiction?: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	A determination or finding of abuse (<i>i.e.</i> , indicated or founded report) by a children and youth social service agency or court in Pennsylvania or a similar agency or court in another jurisdiction. What jurisdiction?: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Check
all that
apply

	<i>Self</i>	<i>Household Member</i>	<i>Child</i>
<input type="checkbox"/> An adjudication of dependency or delinquency under Pennsylvania’s Juvenile Act, or a similar law in another jurisdiction, and the record is publicly available as set forth in 42 Pa.C.S. § 6307. What jurisdiction?: _____ Is the case active? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> A history of perpetrating “abuse” as that term is defined in the Protection from Abuse Act, 23 Pa.C.S. § 6102.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> A history of perpetrating “sexual violence” or “intimidation” as those terms are defined in 42 Pa.C.S. § 62A03 (relating to Protection of Victims of Sexual Violence and Intimidation).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. If you checked a box in (2) or (3), list any evaluation, counseling, or other treatment received as a result:

5. If you checked a box in (2) or (3) that applies to your household member, who is not a party, state that person’s name, date of birth, and relationship to the child.

6. If you are aware that the other party or the other party’s household member has a criminal record or abuse history, please explain:

ONLY A PARTY CAN SIGN THIS FORM. IF A PARTY IS REPRESENTED BY AN ATTORNEY, THE ATTORNEY CANNOT SIGN THIS FORM ON BEHALF OF THE PARTY.

I verify that the information above is true and correct to the best of my knowledge, information, or belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

_____ Date

_____ Plaintiff/Defendant Signature

_____ Printed Name

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

_____ Signature

_____ Printed Name

Comment:

There is no obligation for the court to conduct an independent investigation of a party’s or the party’s household member’s criminal record or abuse history.

The intent of subdivision (a)(4) is for the court and parties to have the most current information available, including after a final order—provided the child remains under the court’s jurisdiction. Although the subdivision provides for the filing of an updated Criminal Record/Abuse History Verification form at a hearing, pretrial conference, or trial, the terminology used by a judicial district may vary for these court proceedings.

As used in subdivision (a), a “child custody action” is intended to include any action where custody may be awarded, including a protection from abuse action.

For subdivision (c)(6), see Pa.R.Civ.P. 1930.5 (discovery in domestic relations matters) and Pa.R.E. 614 (court’s calling or examining a witness).

Given the sensitive nature of the record, see Pa.R.Civ.P. 1930.1 (form of caption and applicability of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*).

(Editor’s Note: Rules 1915.3-3 and 1915.3-4 are proposed to be added and they are printed in regular type to enhance readability.)

(This is an entirely new rule.)

Rule 1915.3-3. Report of Child Abuse and Protective Services.

(a) *General Rule.* A court shall determine whether a participant in a child custody action has a history of child abuse or involvement with protective services.

(b) *Definitions.* The following definitions shall apply to this rule:

(1) “Participant” shall include any party, child, or member of a party’s household identified on the Criminal Record or Abuse History Verification, as required by Pa.R.Civ.P. 1915.3-2.

(2) “County agency” shall have the same meaning as set forth in Pa.R.J.C.P. 1120 (defining “county agency”).

(3) “Form” shall be the form found at Pa.R.Civ.P. 1915.3-4.

(c) *Submission.* Whenever a party has disclosed a history of child abuse or involvement with protective services pursuant to Pa.R.Civ.P. 1915.3-2, or the court or its designee believes that further inquiry is warranted, the court shall confirm or identify all participants on the form in Pa.R.Civ.P. 1915.3-4 and transmit the form for completion to the county agency with notice to the parties.

(d) *Return.* The county agency shall complete the form for all participants and return it to the court no later than five days or the time specified by the court after receiving the submission.

(e) *Dissemination.* Upon receipt of the completed form, the court shall promptly docket and disseminate it to the parties.

(f) *Confidentiality.* The completed form shall be confidential and not publicly accessible. Further dissemination by the recipients of the form is in violation of 23 Pa.C.S. Ch. 63 (Child Protective Services Law).

(g) *Witnesses.* The parties may subpoena with leave of court, or the court may otherwise order, the county agency to provide a witness or witnesses to attend and testify about any child abuse history or protective services disclosed on the form.

Comment:

This rule is intended to implement 23 Pa.C.S. § 5329.1.

As used in subdivision (a), a “child custody action” is intended to include any action where custody may be awarded, including a protection from abuse action.

For subdivision (c), the court may use Part I (Participant) of each party’s Criminal Record or Abuse History Verification (“Verification”), as provided in Rule 1915.3-2, in lieu of completing the “participant” section of the form. The court shall indicate the request for information by checking the box at the top of the first page of the Verification.

For subdivision (f), see Pa.R.Civ.P. 1930.5 (discovery in domestic relations matters) and Pa.R.E. 614 (court’s calling or examining a witness).

Given the sensitive nature of the record, see Pa.R.Civ.P. 1930.1 (form of caption and applicability of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*).

Rule 1915.25(c) suspends 23 Pa.C.S. § 6339, insofar as it is inconsistent with this rule.

(This is an entirely new rule.)

Rule 1915.3-4. Form for Report of Child Abuse and Protective Services.

The report of child abuse and protective services pursuant to Pa.R.Civ.P. 1915.3-3 shall be substantially in the following form:

(Caption)

CRIMINAL RECORD/ABUSE HISTORY VERIFICATION

REPORT OF CHILD ABUSE AND PROTECTIVE SERVICES REQUESTED BY COURT

(Court may use the first page of the parties’ criminal record/abuse history verification or may complete a new form.)

1. *Participants.* Please list ALL adult members in your/the participant’s household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

_____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701—6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

Please list ALL members in the opposing party's household and attach sheets if necessary:

Name	Date of Birth	Address	Relationship to Child(ren)

_____ Party requests their residence remain confidential as they are protected by the Protection from Abuse Act, 23 Pa.C.S. § 6112, or the Domestic and Sexual Violence Victim Address Confidentiality Act, 23 Pa.C.S. §§ 6701—6713, or the Child Custody Act, 23 Pa.C.S. § 5336(b), or they are in the process of seeking protection under the same.

SUBJECT CHILD(REN)—Attach additional sheets if necessary:

Name	Date of Birth

End of Page 1

TO BE COMPLETED BY THE COUNTY AGENCY:

CHECK ALL THAT APPLY:

_____ No information on this family within county agency records.

_____ Child Protective Services (Complete CPS section below).

_____ General Protective Services (Complete GPS section below).

2. *Child Protective Services (CPS) Cases:*

Was any child(ren), listed above, subject of an indicated or founded report of child abuse? Circle your response and supplement, if indicated.

Yes No If yes, indicate date(s) of incident(s) and name(s):

Was any child(ren), listed above, subject of a founded report of child abuse?

Yes No If yes, indicate date(s) of incident(s) and name(s):

Has a party or member of the party's household been identified as the perpetrator in an indicated or founded report of child abuse?

Yes No If yes, indicate date(s) of incident(s) and name(s):

Has a party or member of the party's household been identified as the perpetrator in a founded report of child abuse?

Yes No If yes, indicate date(s) of incident(s) and name(s):

If any of the questions above are answered "Yes," provide the following information:

Name of county agency: _____

County agency caseworker(s): (please list current or most recently assigned if known)

County agency supervisor(s): (please list current or most recently assigned if known)

For each instance, please provide: (Attach additional sheets if necessary to provide the information below for additional participants)

A. Determination date of indicated or founded CPS referral(s):

B. Was a service provided?

No If answered "No", skip questions C, D, E, and F.

Yes If answered "Yes", please list the type of service(s) and name of service provider(s):

C. Date services ended, if applicable:

D. Who received the services?

E. Services were:

_____ Voluntary _____ Court-ordered. If court-ordered,
please provide the docket number:

F. Generally describe the services provided:

G. If the county agency made referrals to outside providers, list the type of service and the name of the service provider:

3. *General Protective Services (GPS) Cases:*

Has a party or a member of a party's household been provided services? Circle your response and supplement, if indicated.

Yes No If answered "Yes," provide the following information:

Name of county agency: _____

County agency caseworker(s): (please list current or most recently assigned, if known)

County agency supervisor(s): (please list current or most recently assigned if known)

For each instance, please provide: (attach additional sheets if necessary to provide the information below for additional participants)

A. The concerns identified on the GPS referral(s) were:

Valid Invalid

Determination date:

B. Was a service provided?

No If answered "No", skip questions C, D, E and F.

Yes If answered "Yes", please list the type of service(s) and name of service provider(s):

C. Date GPS services ended, if applicable: _____

D. Who received GPS services? _____

E. GPS Services were:

_____ Voluntary _____ Court-ordered. If court-ordered please provide the docket number:

F. Generally describe the services provided:

G. If the county agency made referrals to outside providers, list the type of service and the name of the service provider:

Comment:

Rule 1915.25(c) suspends 23 Pa.C.S. § 6339, insofar as it is inconsistent with this rule.

(*Editor's Note:* Pa.R.Civ.P. 1915.4-4 as printed in 231 Pa. Code reads "Official Note" rather than "Note." The Explanatory Comment is not codified in 231 Pa. Code.)

Rule 1915.4-4. Pre-Trial Procedures.

[A pre-trial conference in an initial custody or modification proceeding shall be scheduled before a judge at the request of a party or sua sponte by the court and the procedure shall be as set forth in this rule. If a party wishes to request a pre-trial conference, the praecipe set forth in subdivision (g) shall be filed. The scheduling of a pre-trial conference shall not stay any previously scheduled proceeding unless otherwise ordered by the court.

(a) The praecipe may be filed at any time after a custody conciliation or conference with a conference officer unless a pre-trial conference has already been scheduled or held. The pre-trial conference may be scheduled at any time, but must be scheduled at least 30 days prior to trial.

(b) Not later than five days prior to the pre-trial conference, each party shall file a pre-trial statement with the prothonotary's office and serve a copy upon the court and the other party or counsel of record. The pre-trial statement shall include the following matters, together with any additional information required by special order of the court:

(1) the name and address of each expert whom the party intends to call at trial as a witness;

(2) the name and address of each witness the party intends to call at trial and the relationship of that witness to the party. Inclusion of a witness on the pre-trial statement constitutes an affirmation that the party's counsel or the self-represented party has communicated with the witness about the substance of the witness's testimony prior to the filing of the pretrial statement; and

(3) a proposed order setting forth the custody schedule requested by the party.

In addition to the above items included in the pre-trial statement, any reports of experts and other proposed exhibits shall be included as part of the pre-trial statement served upon the other party or opposing counsel, but not included with the pre-trial statement served upon the court.

Note: See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

(c) If a party fails to file a pre-trial statement or otherwise comply with the requirements of subdivision (b), the court may make an appropriate order under Pa.R.C.P. No. 4019(c)(2) and (4) governing sanctions.

(d) Unless otherwise ordered by the court, the parties may amend their pre-trial statements at any time, but not later than seven days before trial.

(e) At the pre-trial conference, the following shall be considered:

(1) issues for resolution by the court;

(2) unresolved discovery matters;

(3) any agreements of the parties;

(4) issues relating to expert witnesses;

(5) settlement and/or mediation of the case;

(6) such other matters as may aid in the disposition of the case; and

(7) if a trial date has not been scheduled, it shall be scheduled at the pre-trial conference.

(f) The court shall enter an order following the pre-trial conference detailing the agreements made by the parties as to any of the matters considered, limiting the issues for trial to those not disposed of by agreement and setting forth the schedule for further action in the case. Such order shall control the subsequent course of the action unless modified at trial to prevent manifest injustice.

(g) The praecipe for pre-trial conference shall be substantially in the following form:

(Caption)

PRAECIPE FOR PRE-TRIAL CONFERENCE

To the Prothonotary:

Please schedule a pre-trial conference in the above-captioned custody matter pursuant to Pa.R.C.P. No. 1915.4-4.

The parties' initial in-person contact with the court (conference with a conference officer or judge, conciliation, or mediation) occurred on _____.

Plaintiff/Defendant/Attorney for Plaintiff/Defendant

EXPLANATORY COMMENT

In 2013, the Domestic Relations Procedural Rules Committee (the "Committee") recognized there was a wide disparity in pre-trial procedures in custody cases among the various judicial districts. By adopting this rule, the Supreme Court established uniform state-wide pre-trial procedures in custody cases. With an eye toward reducing custody litigation, the rule encourages early preparation and court involvement for purposes of expedited resolutions. The rule was based upon the pretrial procedures in divorce cases as set forth in Pa.R.C.P. No. 1920.33(b). The rule does not affect, however, the First Judicial District's practice of conducting a pre-trial conference upon the filing of a motion for a protracted or semi-protracted trial.

In 2015, the Committee expressed concern the rule as previously adopted by the Supreme Court allowed for an interpretation contrary to the intent of the rule. The Committee proposed and the Court adopted an amendment to the rule to clarify the rule's mandate as it relates to witnesses. As a goal of any pre-trial conference is to settle the case, in whole or in part, the Committee believed a best practice in reaching that goal is having a thorough knowledge of the case, including the substance of anticipated witness testimony. As amended, the rule plainly states that counsel or a self-represented party is required to discuss with the witness their testimony prior to including the witness on the pre-trial statement.

Unlike Pa.R.C.P. No. 1920.33(b), the rule does not require inclusion of a summary of the witness's testimony in the pre-trial statement; but rather, an affirmation by counsel or self-represented party that there was actual communication with each witness about the witness's testimony. With the additional information from witnesses, counsel, self-represented parties, and the trial court can better engage in more fruitful settlement discussions at the pre-trial conference.]

(This is entirely new text.)

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

(a) *Pre-Trial Conference.*

(1) The court shall schedule a pre-trial conference before a judge in an initial custody or modification proceeding at the request of a party or by the court *sua sponte*.

(2) The pre-trial conference scheduling procedure shall be as follows:

(i) If a party wishes to request a pre-trial conference, the party shall file a *praecipe* set forth in subdivision (h).

(ii) A party may file the *praecipe* any time after a custody conciliation or conference unless a pre-trial conference has already been scheduled or held.

(iii) The scheduling of a pre-trial conference shall not stay a previously scheduled proceeding unless otherwise ordered by the court.

(iv) The pretrial conference may be scheduled at any time, but shall be scheduled at least 30 days prior to trial.

(b) *Pre-Trial Statement.*

(1) Not later than five days prior to the pre-trial conference, each party shall file a pre-trial statement with the prothonotary and serve a copy upon the court and the other party or the party's counsel.

(2) The pre-trial statement shall include, together with any additional information required by special order of the court, the following matters:

(i) the name and address of each expert whom the party intends to call as a witness at trial;

(ii) the name and address of each person the party intends to call as a witness at trial and the relationship of that witness to the party. Inclusion of a witness on the pre-trial statement constitutes an affirmation that the party's counsel or the self-represented party has communicated with the witness about the substance of the witness's testimony prior to the filing of the pre-trial statement; and

(iii) a proposed order setting forth the custody schedule requested by the party.

(c) *Exhibits.* In addition to subdivision (b)(2), the party shall include any proposed exhibits to be introduced at trial, including the expert's report, as part of the pre-trial statement served upon the other party or other party's counsel, but the proposed exhibits shall not be included with the pre-trial statement served upon the court.

(d) *Sanctions.* If a party fails to file a pre-trial statement or otherwise comply with the subdivision (b), the court may sanction the party as provided in Pa.R.Civ.P. 4019(c)(2) and (c)(4).

(e) *Amendments.* Unless the court orders otherwise, the parties may amend a pretrial statements at any time, but not less than seven days before trial.

(f) *Topics.* The court shall consider the following topics at the pre-trial conference:

(1) issues for resolution by the court;

(2) unresolved discovery matters;

(3) agreements of the parties;

(4) issues relating to expert witnesses;

(5) settlement or mediation of the case;

(6) a party's or household member's criminal record or abuse history or a party's, household member's, or child's involvement with the juvenile dependency court or the children and youth social service agency as outlined in 23 Pa.C.S. §§ 5329 and 5329.1, including the admissibility of related documents, other evidentiary issues, or testimony;

(7) such other matters that may aid in the disposition of the case; and

(8) if a trial date has not been scheduled, the court shall schedule the trial at the pre-trial conference.

(g) *Order.* The court shall enter an order following the pre-trial conference detailing the parties' agreements as to any of the matters considered, limiting the trial to unresolved issues, and setting forth the schedule for further action in the case. The order shall control the subsequent course of the action unless modified at trial to prevent manifest injustice.

(h) *Form.* The *praecipe* for pre-trial conference required by this rule shall be substantially in the following form:

PRAECIPE FOR PRE-TRIAL CONFERENCE

To the Prothonotary:

Please schedule a pre-trial conference in the above-captioned custody matter pursuant to Pa.R.Civ.P. 1915.4-4.

The parties' initial in-person contact with the court (conference with a conference officer or judge, conciliation, or mediation) occurred on _____.

Plaintiff/Defendant/
Attorney for Plaintiff/Defendant

Comment:

Rule 1930.1(b) may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

(*Editor's Note:* Pa.R.Civ.P. 1915.7 as printed in 231 Pa. Code reads "Official Note" rather than "Note." The Explanatory Comment—1981 is not codified in 231 Pa. Code.)

Rule 1915.7. Consent Order.

[If the parties have an agreement regarding custody and request that the court enter a consent order incorporating the agreement's terms:

- (a) the parties shall submit to the court a proposed custody order bearing the parties' written consent; or
- (b) the parties may state the agreement on the record, provided that:
 - (1) within ten days of placing the agreement on the record, the parties comply with subdivision (a); or
 - (2) the court memorializes the oral agreement from the record into a written custody order.

Note: See Pa.R.Civ.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

See Pa.R.C.P. No. 1915.10(b) regarding written custody order requirements.

EXPLANATORY COMMENT—1981

As in other types of litigation, determination of an action through agreement of the parties is a desirable goal. However, the power of the parties to enter into an agreement is not absolute. In *Com. ex rel. Veihdeffer v. Veihdeffer*, 235 Pa.Super. 447, 344 A.2d 613, 614 (1975), the Superior Court stated:

It is well settled that an agreement between the parties as to custody is not controlling but should be given weight taking into consideration all the circumstances. . . . A child cannot be made the subject of a contract with the same force and effect as if it were a mere chattel has long been established law.

If the parties seek to have their agreement incorporated into a consent order, Rule 1915.7 provides two methods of presenting the agreement to the court. The first is by noting the agreement on the record. The second is by submitting to the court a proposed order bearing the written consent of the parties. Whichever method is used, however, the parties must be present before the court unless the court directs otherwise. The child affected by the order need be present only if the court so directs.

Explanatory Comment—2019

The rule has been amended to ensure that when a custody agreement is orally placed on the record that a written custody order prepared by the parties memorializing the parties' agreement is timely submitted to the court or the court memorializes the oral agreement into a written custody order. The amendment avoids the untenable circumstance that the only written record of the parties' oral agreement is a transcription of what had been placed on the record. Transcription agreements are often cumbersome and difficult to discern as to the custody terms and provisions, which makes enforcement difficult. This amendment is consistent with the holding in *R.L.P. v. R.F.M.*, 110 A.3d 201 (Pa. Super. 2015).]

(This is entirely new text.)

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

(a) *Agreement.* If the parties have an agreement regarding custody, the parties may request that the court incorporate the agreement's terms into a consent order.

(b) *Consent Order.*

- (1) The parties shall submit to the court a proposed custody order bearing the parties' written consent; or
- (2) the parties may state the agreement on the record, provided:
 - (i) within ten days of placing the agreement on the record, the parties comply with subdivision (a); or
 - (ii) the court memorializes the oral agreement from the record into a written custody order.

Comment:

Rule 1930.1(b) may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

As in other types of litigation, determination of an action through agreement of the parties is a desirable goal. However, the power of the parties to enter into an agreement is not absolute.

It is well settled that an agreement between the parties as to custody is not controlling but should be given weight taking into consideration all the circumstances. . . . A child cannot be made the subject of a contract with the same force and effect as if it were a mere chattel has long been established law.

Com. ex rel. Veihdeffer v. Veihdeffer, 344 A.2d 613, 614 (Pa. Super. 1975).

(Editor's Note: Pa.R.Civ.P. 1915.10 as printed in 231 Pa. Code reads "Official Note" rather than "Note." Explanatory Comments 2019 and 2021 are not codified in the *Code*.)

Rule 1915.10. Decision. Order.

[(a) The court may make the decision before the testimony has been transcribed. The court shall state the reasons for its decision on the record in open court or in a written opinion or order.

Note: See 23 Pa.C.S. § 5323(d).

(b) The court shall enter a custody order as a separate written order or in a separate section of a written opinion.

(1) The court's order shall state sufficiently specific terms to enforce the order.

(2) If the court has made a finding that a party or child is at risk of harm, the court's order shall include safety provisions for the endangered party's or child's protection.

(3) The court may order that the case caption use the parties' initials rather than the parties' names based on the sensitive nature of the facts in the case record and the child's best interest.

Note: See Pa.R.C.P. No. 1930.1(a).

(4) When drafting a written opinion or order in an action having the parties' initials in the case caption, the court shall:

(i) avoid using specific identifiers for people, places, or things that may indirectly reveal the child's identity; and

(ii) use generalized identifiers when describing a child's school, activities, affiliated organizations, or other similar terms.

(c) A custody order shall include a notice outlining the parties' obligations under 23 Pa.C.S. § 5337, regarding a party's intention to relocate with a minor child.

Note: See 23 Pa.C.S. § 5323(c) and Pa.R.C.P. No. 1915.17.

(d) A party may not file a motion for post-trial relief to an order of legal or physical custody.

Explanatory Comment—2019

Subdivision (b) further defines and reinforces the requirements in 23 Pa.C.S. § 5323(e). Examples of safety provisions include, but are not limited to, supervised physical custody, a supervised or neutral custody exchange location, a neutral third-party present at custody exchanges, telephone or computer-facilitated contact with the child, no direct contact between the parties, third-party contact for cancellations, third-party transportation, and designating a secure, neutral location as repository for a child's passport.

Additionally, subdivision (b) requires a court to enter a custody order as a separate written order or in a separate section of a written opinion. The subdivision also addresses the practice of orally entering a custody order on the record without formalizing the custody order in writing. In such circumstances, the parties' only documentation of the custody order is a transcription of the oral record. In *R.L.P. v. R.F.M.*, 110 A.3d 201 (Pa. Super. 2015), the Superior Court held that "in order to be sufficiently specific to be enforced, an order of custody must be entered as a separate written order, or as a separate section of a written opinion." *Id.* at 206. Despite the Superior Court's decision, the practice of placing custody orders on the record without subsequently entering a written order has continued, which has been problematic for enforcement and understanding of the agreement's or order's terms.

Explanatory Comment—2021

Subdivision (b)(3) allows the court discretion to initialize a custody action's case caption when the child's privacy may be compromised by the sensitive nature of the facts in the case record. When the court determines that the case caption should be initialized, additional privacy safeguards are required under subdivision (b)(4).

Subdivision (b)(4) recognizes that inadvertent disclosure of the child's identity and privacy may occur if the written custody order or opinion provides specific details of the child's life (*i.e.*, school, extracurricular activities). Subdivision (b)(4) requires that the court refrain from using specific identifiers; instead, the court should use general terms (*i.e.*, high school, not John F. Kennedy High School). In circumstances in which name specificity is required, such as school choice, the court should consider a separate order for that issue.]

(This is entirely new text.)

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

(a) *Decision.*

(1) The court may decide custody before the testimony has been transcribed.

(2) The court shall state the reasons for its decision:

(i) on the record in open court; or

(ii) in a written opinion or order.

(b) *Order.* The court shall enter a custody order as a separate written order or in a written opinion as a separate section.

(1) The court's order shall sufficiently state specific terms to enforce the order.

(2) If the court finds that a party or child is at risk of harm, the court's order shall include safety provisions for the endangered party's or the child's protection.

(3) The court may order that the case caption use the parties' initials rather than the parties' names based on the sensitive nature of the facts in the case record and the child's best interest.

(4) When drafting a written opinion or order in an action having the parties' initials in the case caption, the court shall:

- (i) avoid using specific identifiers for people, places, or things that may indirectly reveal the child's identity; and
- (ii) use generalized identifiers when describing a child's school, activities, affiliated organizations, or other similar terms.

(c) *Party Obligations.* A custody order shall include a notice outlining the parties' obligations under:

- (1) 23 Pa.C.S. § 5337, regarding a party's intention to relocate with a minor child; and
- (2) Pa.R.Civ.P. 1915.3-2(a)(4)(ii), regarding a party's ongoing obligation to complete, file, and serve the Criminal Record/Abuse History Verification form.

(d) *No Post-Trial Relief.* A party shall not file a motion for post-trial relief to an order of legal or physical custody.

Comment:

See 23 Pa.C.S. § 5323(d) (requiring the court to delineate the reasons for its decision on the record in open court or in a written opinion or order).

See Pa.R.Civ.P. 1930.1(a)(2) (permitting the court to order that the case caption contain the parties' initials rather than their names in custody actions).

See 23 Pa.C.S. § 5323(c) (requiring that an order include notice of a party's obligations under § 5337, relating to relocation) and Pa.R.Civ.P. 1915.17 (outlining the requirements for the proposed relocation of a child's residence).

Subdivision (b) further defines and reinforces the requirements in 23 Pa.C.S. § 5323(e). Examples of safety provisions include, but are not limited to, supervised physical custody, a supervised or neutral custody exchange location, a neutral third-party present at custody exchanges, telephone or computer-facilitated contact with the child, no direct contact between the parties, third-party contact for cancellations, third-party transportation, and designating a secure, neutral location as repository for a child's passport.

Additionally, subdivision (b) requires a court to enter a custody order as a separate written order or in a separate section of a written opinion. The subdivision also addresses the practice of orally entering a custody order on the record without formalizing the custody order in writing. In such circumstances, the parties' only documentation of the custody order is a transcription of the oral record. In *R.L.P. v. R.F.M.*, 110 A.3d 201 (Pa. Super. 2015), the Superior Court held that "in order to be sufficiently specific to be enforced, an order of custody must be entered as a separate written order, or as a separate section of a written opinion." *Id.* at 206. Despite the Superior Court's decision, the practice of placing custody orders on the record without subsequently entering a written order has continued, which has been problematic for enforcement and understanding of the agreement's or order's terms.

Pursuant to subdivision (b)(3), the court may initialize a custody action's case caption if the child's privacy may be compromised by the sensitive nature of the facts in the case record. If the court determines that the case caption should be initialized, additional privacy safeguards are required under subdivision (b)(4).

Subdivision (b)(4) recognizes that inadvertent disclosure of the child's identity and privacy may occur if the written custody order or opinion provides specific details of the child's life, *i.e.*, school, extracurricular activities. Subdivision (b)(4) requires that the court refrain from using specific identifiers; instead, the court should use general terms, *e.g.*, "high school," not "John F. Kennedy High School." In circumstances in which name specificity is required, such as school choice, the court should consider a separate order for that issue.

Under no circumstance does a party filing an updated Criminal Record/Abuse History Verification form impose a duty on the court to review, respond, or react to a newly revealed criminal record or abuse history unless a party petitions the court for relief.

(*Editor's Note:* Pa.R.Civ.P. 1915.15 as printed in 231 Pa. Code reads "Official Note" rather than "Note.")

Rule 1915.15. Form of Complaint. Caption. Order. Petition to Modify a Custody Order.

(a) **Complaint.** The complaint in a custody action shall be substantially in the following form:

(Caption)

COMPLAINT FOR CUSTODY

1. The plaintiff is _____, residing at (Street) _____ (City) _____
(Zip Code) _____ (County) _____.
2. The defendant is _____, residing at (Street) _____ (City) _____
(Zip Code) _____ (County) _____.
3. Plaintiff seeks (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the following child(ren):

THE COURTS

Name

Present Residence

Age

The child (was) (was not) born out of wedlock.

The child is presently in the custody of _____, (Name) who resides at

(Street)

(City)

(State)

During the past five years, the child has resided with the following persons and at the following addresses:

(List All Persons)

(List All Addresses)

(Dates)

A parent of the child is _____, currently residing at _____.

This parent is (married) (divorced) (single).

A parent of the child is _____, currently residing at _____.

This parent is (married) (divorced) (single).

4. Plaintiff's relationship to the child is that of _____.

Plaintiff currently resides with the following persons:

Name

Relationship

5. Defendant's relationship to the child is that of _____.

Defendant currently resides with the following persons:

Name

Relationship

6. Plaintiff (has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the child in this or another court. The court, term and number, and its relationship to this action is:

Plaintiff (has) (has no) information of a custody proceeding concerning the child pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is: _____.

Plaintiff (knows) (does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have custodial rights with respect to the child. The name and address of such person is: _____.

7. The child's best interest and permanent welfare will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the child's best interest and permanent welfare):

8. Each parent whose parental rights to the child have not been terminated and the person who has physical custody of the child have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody of the child will be given notice of the pendency of this action and the right to intervene:

Name

Address

Basis of Claim

9. **Standing.**

(a) If the plaintiff is seeking physical or legal custody of a child and is *in loco parentis* to the child, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5324(2).

(b) If the plaintiff is a grandparent seeking physical or legal custody of a grandchild and is not *in loco parentis* to the child, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5324(3).

(c) If the plaintiff is seeking physical or legal custody of a child and is not *in loco parentis* to the child, the plaintiff shall plead facts establishing standing pursuant to 23 Pa.C.S. § 5324(4) and (5).

(d) If the plaintiff is a grandparent or great-grandparent seeking partial physical custody or supervised physical custody of a grandchild or great-grandchild, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5325.

10. Plaintiff has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.Civ.P. 1915.3-2.

Wherefore, Plaintiff requests the court to grant (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child.

Plaintiff/Attorney for Plaintiff

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Plaintiff

[Note: The form of complaint is appropriate if there is one plaintiff and one defendant and the custody of one child is sought or the custody of several children is sought and the information required by Paragraphs 3 to 7 is identical for all of the children. If there are more than two parties, the complaint should be appropriately adapted to accommodate them. If the custody of several children is sought and the information required is not identical for all of the children, the complaint should contain a separate paragraph for each child.]

See Pa.R.Civ.P. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.]

(b) ***Petition for Modification.*** A petition for modification of a custody order shall be substantially in the following form:

(Caption)

PETITION FOR MODIFICATION OF A CUSTODY ORDER

1. Petitioner is _____ and resides at _____ .
2. Respondent is _____ and resides at _____ .
3. Petitioner respectfully represents that on _____, 20____, an Order of Court was entered for (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody). A true and correct copy of the Order is attached.
4. This Order should be modified because: _____

5. Petitioner has attached the Criminal Record/ Abuse History Verification form required pursuant to Pa.R.Civ.P. 1915.3-2.

WHEREFORE, Petitioner requests that the Court modify the existing Order because it will be in the best interest of the child(ren).

(Attorney for Petitioner) (Petitioner)

I verify that the statements made in this petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date

Petitioner

[Note: See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.]

(c) ***Order.*** The order to be attached at the front of the complaint or petition for modification shall be substantially in the following form:

(Caption)

ORDER OF COURT

You, _____, (defendant) (respondent), have been sued in court to (OBTAIN) (MODIFY) (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child(ren): _____ .

You are ordered to appear in person at _____, on _____,
(Address) (Day and Date)

at _____, ____ .M., for
(Time)

- a conciliation or mediation conference.
- a pretrial conference.
- a hearing before the court.

If you fail to appear as provided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You must file with the court a verification regarding any criminal record or abuse history regarding you and anyone living in your household [**on or**] before the initial in-person contact with the court (including, but not limited to, a conference with a conference officer or judge or conciliation) [**but not later than**] or within 30 days [**after**] of service of the [**complaint or petition**] initiating pleading, whichever occurs first.

No party may make a change in the residence of any child which significantly impairs the ability of the other party to exercise custodial rights without first complying with all of the applicable provisions of 23 Pa.C.S. § 5337 and Pa.R.Civ.P. 1915.17 regarding relocation.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

(Name)

(Address)

(Telephone Number)

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of _____ County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

BY THE COURT:

J.

Date: _____

[EXPLANATORY COMMENT—2008

In an effort to promote uniformity of practice throughout the Commonwealth, several forms are included in the rules. Two aspects of these forms are worthy of mention. First, much of the information which must be set forth in the complaint is required by the Uniform Child Custody Jurisdiction and Enforcement Act, 23 Pa.C.S.A. § 5429. Second, the complaint is verified by use of a statement that it is subject to the penalties of the Crimes Code relating to unsworn falsification to authorities. A notary public is not needed.

EXPLANATORY COMMENT—2020

Act of May 4, 2018, P.L. 112, No. 21, amended 23 Pa.C.S. § 5324 by adding a new class of third-party standing for individuals seeking custody of a child whose parents do not have care and control of the child. The individual seeking custody may or may not be related to the child. Subject to the limitations in 23 Pa.C.S. § 5324(5), the newly added standing provision requires that: (1) the individual has assumed or is willing to assume responsibility for the child; (2) the individual has a sustained, substantial, and sincere interest in the child’s welfare; and (3) the child’s parents do not have care and control of the child. A plaintiff proceeding under Section 5324(4) shall satisfy the requirements of that provision by clear and convincing evidence. Additionally, if a juvenile dependency proceeding has been initiated, or is ongoing, or if there is an order for permanent legal custody, Section 5324(5) provides that an individual cannot assert standing under Section 5324(4).

Consistent with the Act’s statutory change, the Complaint for Custody Paragraph 9 has been revised to include a third party seeking custody of a child under 23 Pa.C.S. § 5324(4) and has been reorganized to sequentially follow the statutory provisions in 23 Pa.C.S. §§ 5324(2)—(4) and 5325. Similarly, Pa.R.C.P. No. 1915.3(e) has been reorganized to sequentially follow the statutory provision sequence. See Pa.R.C.P. No. 1915.3(e).]

Comment:

The form of complaint is appropriate if there is one plaintiff, one defendant, and the custody of one child is sought or the custody of several children is sought and the information required by Paragraphs 3 to 7 is identical for all of the children. If there are more than two parties, the complaint should be appropriately adapted to accommodate them. If the custody of several children is sought and the information required is not identical for all of the children, the complaint should contain a separate paragraph for each child.

Rule 1930.1(b) may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

(Editor's Note: Pa.R.Civ.P. 1915.25 as printed in 231 Pa. Code reads "Official Note" rather than "Note.")

Rule 1915.25. Suspension of Acts of Assembly.

(a) **23 Pa.C.S. § 5351.** Section 5351 of the Domestic Relations Code, 23 Pa.C.S. § 5351, of the Uniform Child Custody Jurisdiction Act, relating to additional parties, is suspended insofar as it provides for the joinder of a person not a party who claims to have custody or visitation rights with respect to the child.

(b) **23 Pa.C.S. § 5334.** 23 Pa.C.S. § 5334 is suspended insofar as it (1) requires that a guardian [**ad litem**] **ad litem** be an attorney, (2) permits the guardian [**ad litem**] **ad litem** to represent both the best interests and legal interests of the child, (3) provides the guardian [**ad litem**] **ad litem** the right to examine, cross-examine, present witnesses and present evidence on behalf of the child, and (4) prohibits the guardian [**ad litem**] **ad litem** from testifying.

[**Note: Rule 1915.6(b) provides that a person not a party who claims to have custody or visitation rights with respect to the child shall be given notice of the pendency of the proceedings and of the right to intervene.]**

(c) **23 Pa.C.S. § 6339.** **23 Pa.C.S. § 6339 is suspended insofar as it is inconsistent with Pa.R.Civ.P. 1915.3-3 and 1915.3-4 which provides for the disclosure of such reports by the court to the parties.**

Comment:

Rule 1915.6(b) provides that a person not a party who claims to have custody or visitation rights with respect to the child shall be given notice of the pendency of the proceedings and of the right to intervene.

**SUPREME COURT OF PENNSYLVANIA
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE
PUBLICATION REPORT**

The Domestic Relations Procedural Rules Committee (Committee) is proposing the adoption of Pennsylvania Rules of Civil Procedure 1915.3-3 and 1915.3-4, and the amendment of Pennsylvania Rules of Civil Procedure 1915.3-2, 1915.4-4, 1915.7, 1915.10, 1915.15, and 1915.25.

As background, Act 107 of 2013, effective January 1, 2014, prompted the Committee to discuss rule amendments to further those legislative changes, which included directing custody courts to consider child abuse and the involvement of a party, household member, or child with a child protective services agency when determining child custody under 23 Pa.C.S. §§ 5321—5340. Act 107 amended not only Title 23 as it relates to child custody, but also the Child Protective Services Law (CPSL), 23 Pa.C.S. §§ 6301—6375, and the Juvenile Act, 42 Pa.C.S. §§ 6301—6375. The Act directed the Department of Public Welfare, now the Pennsylvania Department of Human Services (DHS), the local county children and youth social services agency and the court of common pleas to cooperate with the exchange of information necessary for a court to determine child custody. See 23 Pa.C.S. § 5329.1(b). DHS and county agencies were directed to provide custody courts with greater access to confidential records and files for proceedings under the CPSL and the Juvenile Act. The information sharing was necessary for the custody court to determine the amended factors in 23 Pa.C.S. §§ 5328(a)(2.1) and 5329.1(a).

These statutory changes raised several procedural and evidentiary issues. First, child custody proceedings are adversarial, and the parties are required to present evidence in support of a claim for custody, including addressing the Section 5328 factors. The parties to a custody proceeding, as well as the custody court, may not have knowledge of all participants' prior or ongoing involvement with a county agency. Further, the parties to a custody proceeding may not have access to juvenile court records or county agency files, which may contain relevant information for the custody proceeding. Moreover, some dependency and county agency information or reports are confidential and, as such, a custody litigant may be precluded from obtaining evidence relevant to the custody action.

Second, the Act amends the CPSL and Juvenile Act by granting courts of common pleas access to reports, files, and court records to assist the court in determining custody. The Committee observes that this access is only provided to the court and not to the parties. As raised in comments to prior proposals, requiring the custody judge to access county agency information and files places the judge in an investigative, rather than an adjudicative, role. Respondents to prior proposals objected to this judicial investigative role.

Complicating matters are varying local procedures and practices for custody cases and juvenile dependency cases. In judicial districts in which a judge may hear both custody and dependency cases or the judicial district is "one family one judge," the issues are less problematic since the custody court often would have knowledge of the parties' or child's involvement with a county agency and dependency court. Additionally, the court would already have access to the dependency case records and may have conducted hearings in which this information had been entered as evidence.

However, even in these judicial districts, the issue of how county agency and dependency court information will be entered into evidence in the custody action is still problematic in many circumstances, as is third-party litigants accessing confidential county agency reports and information.

Indicative of the complexity of these issues, the Committee previously published four proposals for public comment on this topic. See 46 Pa.B. 3932 (July 23, 2016), 47 Pa.B. 3333 (June 17, 2017), 49 Pa.B. 3469 (July 6, 2019), and 50 Pa.B. 3826 (August 1, 2020). After reviewing comments from the most recent publication and additional Committee deliberations, the Committee proposes revisions to the previous rule proposal, revisions to other relevant rules and proposes two new rules.

Proposed Adoption of Pa.R.Civ.P. 1915.3-3 (Report of Child Abuse and Protective Services) and Pa.R.Civ.P. 1915.3-4 (Form for Report of Child Abuse and Protective Services).

The Committee proposes a new Pa.R.Civ.P. 1915.3-3 to provide a procedure for a custody court to request information from the local county agency, as well as the return and dissemination of that information. This rule, as well as Pa.R.Civ.P. 1915.3-4, which provides the form for the request of information, will promote uniformity of procedure for each local court.

Subdivision (a) confirms the purpose for the rule, which is in accordance with 23 Pa.C.S. § 5329.1(a). Subdivision (b) provides definitions for both Pa.R.Civ.P. 1915.3-3 and 1915.3-4.

Subdivision (c) outlines the minimum circumstances under which the court should request information from the local county agency. The Committee wanted to provide a general guideline for submission of the court's request, while allowing each court discretion in deciding whether to request a report in other circumstances.

Subdivision (d) provides a timeline for the county agency to return the report to the court. The decision to specify "no later than five days" for the return of the report was selected considering the court's need for information as quickly as possible, while being mindful of the administrative burden on county agencies. The proposed subdivision provides the court with the option of designating a different timing if there is a pressing need for the information to be returned sooner.

Subdivision (e) requires the report to be filed with the court and disseminated to the parties. This is to make the report a part of the record and to allow the parties the opportunity to subpoena the county agency, if additional information is needed in a custody proceeding.

Subdivision (f) was deemed necessary due to the Committee's decision that the report should be filed and disseminated to the parties. The intention of this subdivision is to maintain the confidentiality associated with county agency investigations, for the protection of the subject children, parties, and any interested third parties.

Subdivision (g) establishes the right of the parties and the court to subpoena the county agency to provide witnesses to attend any custody proceedings. The Committee believed that this subdivision was necessary due to the elimination of requests for any narrative explanation from the county agency in the report.

The Committee also proposes a new Pa.R.Civ.P. 1915.3-4 providing a form to be used in for this procedure. The form is intended to solicit the factors set forth in 23 Pa.C.S. § 5329.1. The Committee proposes that the first page of the report in Pa.R.Civ.P. 1915.3-4 be the same as the first page of the Criminal Record or Abuse History Verification in Pa.R.Civ.P. 1915.3-2. Each party's Verification form will be filed with the court after being completed. In appropriate circumstances, the court or its designee can take the first page of each party's Verification form and submit it to the county agency to request information directly from the county agency.

The contents of the proposed form are similar to a DHS form currently in use in some counties. The DHS form, "Information Sharing in Custody Filings," was transmitted with the Office of Children Youth and Families' Bulletin # 3490-19-03 in October 2019. However, the Committee had concerns that some of the items on the DHS form invited open-ended statements and possibly opinions, which would be hearsay if admitted as evidence. Specifically, the Committee sought to eliminate soliciting any potential hearsay in the form as well as the necessity of preserving confidentiality to protect the identity of the reporter and to protect the parties involved. To eliminate potential hearsay statements, the Committee did not include the open-ended requests for "any pertinent information" in subdivisions I.(G.) and II.(I.) from the DHS form. The Committee acknowledges this may result in the increased need for a county agency representative to testify in custody proceedings but believed the Pennsylvania Rules of Evidence require it.

To preserve confidentiality, the Committee also omitted the requests for dates of referrals in the DHS form I.(A.) and II.(A.). The general timing of the alleged abuse will be evident, but specifically indicating the date of any referral might pinpoint the referral source, which is to remain confidential.

Amendment of Pa.R.Civ.P. 1915.3-2 (Criminal Record or Abuse History), Pa.R.Civ.P. 1915.4-4 (Pre-Trial Procedures), Pa.R.Civ.P. 1915.7 (Consent Order), Pa.R.Civ.P. 1915.10 (Decision. Order), Pa.R.Civ.P. 1915.15 (Form of Complaint. Caption. Order. Petition to Modify a Custody Order), and Pa.R.Civ.P. 1915.25 (Suspension of Acts of Assembly.)

The Committee proposes amending Pa.R.Civ.P. 1915.3-2, 1915.4-4, 1915.7, 1915.10, 1915.15 and 1915.25. Given the scope of these amendments to Pa.R.Civ.P. 1915.3-2, 1915.4-4, 1915.7 and 1915.10, the text following the rule number and title would be rescinded and replaced. The new text also reflects stylistic revisions such as subdividing and numbering subparts for ease of readability, relocation, and consolidation of commentary.

The Committee proposes comprehensive changes to Pa.R.Civ.P. 1915.3-2, which provides the procedures governing the parties' criminal record and abuse history, including the Verification form. The revised Pa.R.Civ.P. 1915.3-2(a)(1) requires that the Verification form remain confidential. This is to protect the parties, their household members, and the children involved.

Regarding the timing of the filing, the Committee proposes a modest revision of the requirements for the responding party. Currently, the defendant or respondent must file and serve the completed Verification form "on or before the initial

in-person contact with the court. . .but not later than 30 days after service of the complaint or petition.” As proposed, Pa.R.Civ.P. 1915.3-2(a)(3) would require, in pertinent part, that the Verification form be filed with the prothonotary “before” the initial in-person contact or within 30 days of service of the initiating pleading, whichever occurs first. This amendment would ensure the court has the responding party’s information before the initial in-person proceeding. The Committee believes it is necessary for the court to have the most current information about the parties’ and household member’s criminal record and abuse history to properly determine the best interest of the child.

In addition, the parties and court should be informed of any changes to the household membership since the previous filing. As such, subdivision (a)(4) places an obligation on the parties to update the form. This will enable the parties and the court to have current and accurate information so they can understand any potential threats of harm to the child. The parties would be required to update the form either five days after a change in circumstances or no less than one day before any proceeding, whichever occurs first. Subdivision (a)(5) addresses sanctions for a party’s failure to comply with the requirement of filing their updated Verification form.

The Committee proposes several changes to the Verification form in subdivision (c). The parties are required to complete the information on the form and the form has been revised to confirm that only a party, and not their attorney, must sign the form. As outlined in proposed Pa.R.Civ.P. 1915.3-4, the first page of the Verification form, which is to include the names of all children and parties involved with the matter, may be used by the court to submit a request to the county agency regarding any involvement by the parties with the county agency, as provided in Pa.R.Civ.P. 1915.3-3.

The form has been expanded to include any pending charges, as well any offenses that have been resolved by Accelerated Rehabilitative Disposition or another diversionary program but have not been expunged. This addition will provide the court with the most relevant and recent information to ensure the best interest of the child, while being cognizant of the limitations associated with requesting information regarding expunged crimes or offenses resolved through limited access or “Clean Slate” programs.

Statutory changes impacting Pa.R.Civ.P. 1915.3-2 are the amendments of 23 Pa.C.S. § 5329, Act 32 of 2020, effective August 4, 2020, amended Section 5329 and adds 18 Pa.C.S. § 2718 (related to strangulation) to the list of criminal offenses that the court must consider in determining the best interest of the child. Act 38 of 2021, effective August 30, 2021 amended Section 5329 and adds 18 Pa.C.S. Ch. 30 (related to human trafficking) as well as 18 Pa.C.S. § 5902(b.1) to the list of criminal offenses that the court must consider as well. To provide the court with a complete history of violent or abusive conduct, the Committee proposes the form include that statutory amendment along with adding contempt of Protection of Victims of Sexual Violence and Intimidation order or agreement to the list of offenses included on the form. A “catch-all” category of “other” is also proposed to be included for other forms of abuse or violent conduct that may not be specifically enumerated.

Concerning Pa.R.Civ.P. 1915.4-4, the proposed amendment would require the court to address the parties’ criminal record or abuse history at a pre-trial conference. In addition, the proposed amendment would require the court to address the admissibility of the county agency documents and information and other related evidentiary issues, including authentication of county agency records, during a pretrial conference. The Committee also proposes removing the explanatory comment in Pa.R.Civ.P. 1915.4-4 because it is a historical explanation of prior rulemaking and, in part, is a reiteration of the rule text.

For Pa.R.Civ.P. 1915.7, a portion of the note in the current rule, referencing Pa.R.Civ.P. 1915.10(b) regarding written custody order requirements, is proposed to be eliminated. Pa.R.Civ.P. 1915.10(b) relates to a court’s decision in custody, not an agreement by the parties. Therefore, it is irrelevant to Pa.R.Civ.P. 1915.7.

Also proposed is the removal of the 2019 explanatory comment in Pa.R.Civ.P. 1915.7 because it provides a historical explanation of prior rulemaking and, in part, is a reiteration of the rule text. A portion of the 1981 explanatory comment is proposed to be removed due to reiteration of the rule text. The remaining portion of the 1981 explanatory comment was re-styled and would be placed in the Comment.

Regarding Pa.R.Civ.P. 1915.10, subdivision (c) would be amended to require the court’s custody order to include a notice outlining the parties’ ongoing obligation to update the Verification form post-final order. This amendment is intended to inform the other party of any changes that may have a significant impact on the child and the child’s best interest. By requiring a party to update the Verification form when his or her circumstances, or those of a household member, warrant, the other party can obtain information and assess whether a modification of the order is necessary. This requirement is fashioned after the current relocation notice requirement. As proposed, subdivision (c) is subdivided so that both requirements, relocation and updating Verification forms, are in separate subdivisions. A comment was added to confirm that the filing of an updated Verification form does not impose a duty on the court to review, respond, or react unless a party petitions the court for relief. It is proposed that the explanatory comments in Pa.R.Civ.P. 1915.10 be moved to the Comment at the end of the rule.

In Pa.R.Civ.P. 1915.15, subdivision (c) would set forth the form of the order of court that must be attached to the front of the complaint or petition for modification that is served on the defendant or respondent. The change in this rule reflects the same timing as Rule 1915.3-2(a)(3). It is also proposed that the explanatory comments in Pa.R.Civ.P. 1915.15 be removed. They provide reasoning behind the amendments at the time they were drafted, but they do not aid in the application of the rule.

Finally, it is proposed that, Pa.R.Civ.P. 1915.25 be revised to suspend 23 Pa.C.S. § 6339, insofar as it is inconsistent with Pa.R.Civ.P. 1915.3-3 and 1915.3-4. The Committee agreed that the reports from DHS provide critical information for courts to consider in custody matters. If a court relies upon information in these reports, the reports must be provided to the parties to avoid a violation of the parties’ right to due process.

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

[Pa.B. Doc. No. 23-628. Filed for public inspection May 12, 2023, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1, 11, 14, 15 AND 16]

Proposed Amendment of Pa.R.J.C.P. 160, 1160, 1409, 1515, and 1631

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pennsylvania Rules of Juvenile Court Procedure 160, 1160, 1409, 1515, and 1631 regarding access to juvenile records and the entry of custody orders for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Daniel A. Durst, Chief Counsel
 Juvenile Court Procedural Rules Committee
 Supreme Court of Pennsylvania
 Pennsylvania Judicial Center
 P.O. Box 62635
 Harrisburg, PA 17106-2635
 FAX: 717-231-9541
 juvenilerules@pacourts.us

All communications in reference to the proposal should be received by July 5, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court
 Procedural Rules Committee*

THE HONORABLE ALICE BECK DUBOW,
Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART C. RECORDS

PART C(1). ACCESS TO JUVENILE RECORDS

Rule 160. Inspecting, Copying, and Disseminating the Official Court Record.

[A.] (a) *Inspecting*. The official court record is only open to inspection by:

- (1) the [**judges, juvenile court hearing officers] court**, juvenile probation officers, and staff of the court;
- (2) the attorney for the Commonwealth, the juvenile's attorney, and the juvenile, but the persons in this cat-

egory shall not be permitted to see reports revealing the names of confidential sources of information, except at the discretion of the court;

(3) a public or private agency or institution providing supervision or having custody of the juvenile under order of the court;

(4) [**a court, its**] probation officers, other officials or professional staff, and the attorney for the defendant for use in preparing a pre-sentence report in a criminal case in which the defendant is convicted and the defendant previously was adjudicated delinquent;

(5) a judge or issuing authority for use in determining bail, provided that such inspection is limited to orders of delinquency adjudications and dispositions, orders resulting from dispositional review hearings, and histories of bench warrants and escapes;

(6) the Administrative Office of Pennsylvania Courts;

(7) the judges, juvenile probation officers, and staff of courts of other jurisdictions when necessary for the discharge of their official duties;

(8) officials of the Department of Corrections, a state correctional institution or other penal institution to which an individual who was previously adjudicated delinquent in a proceeding under the Juvenile Act has been committed, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except at the discretion of the court;

(9) a parole board[**, court,**] or county probation official in considering an individual's **parole or in exercising supervision over any individual** who was previously adjudicated delinquent in a proceeding under the Juvenile Act, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except at the discretion of the court;

(10) the State Sexual Offenders Assessment Board for use in completing assessments; [**and**]

(11) other persons presiding as a judicial officer when determining child custody;

(12) the Department of Human Services when determining whether the juvenile's name and related information as provided in 23 Pa.C.S. § 6336 should be expunged from the Statewide database; and

[11] (13) with leave of court, any other person, agency, or institution having a legitimate interest in the proceedings or in the work of the unified judicial system.

[B.] (b) *Copying*. Any person, agency, or department permitted to inspect the record pursuant to [**paragraph (A)**] **subdivision (a)** may copy or be provided with a copy of the record.

[C.] (c) *Disseminating*. Unauthorized dissemination of any information contained in the official court record to a person, agency, or department not permitted to inspect or copy the record pursuant to this rule may result in a finding of contempt of court.

[D.] (d) *Public [availability] Availability*. Upon request, a public document shall be created by the clerk of courts if the case is designated eligible for public inspection pursuant to Rule 330 or 515.

(1) For cases deemed eligible pursuant to Rule 330, the public document shall contain only the following information:

- [a] (i) the juvenile's name;
- [b] (ii) the juvenile's age;
- [c] (iii) the juvenile's address; and
- [d] (iv) the offenses alleged in the juvenile's petition.

(2) For cases deemed eligible pursuant to Rule 515, the public document shall contain only the following information:

- [a] (i) the juvenile's name;
- [b] (ii) the juvenile's age;
- [c] (iii) the juvenile's address;
- [d] (iv) the offenses alleged in the juvenile's petition;
- [e] (v) the adjudication on each allegation; and
- [f] (vi) the disposition of the case.

Comment:

Pursuant to subdivision (a)(11), other persons authorized by the court to assist in custody cases have access to the official court record when determining custody, as provided in 23 Pa.C.S. §§ 5328 and 5329.1.

Pursuant to [paragraph (A)(11)] **subdivision (a)(13)**, the court may order that any person, agency, or department receive a copy of all or portions of the record. The court order is to state: 1) the specific information the person, agency, or department may receive; 2) that the information received shall not be disseminated to any person, agency, or department not listed in the court order; and 3) that any dissemination of the information received is a violation of the court order.

See the Juvenile Act, 42 Pa.C.S. § 6307, for the statutory provisions on inspection of the juvenile's file and 42 Pa.C.S. § 6352.1 for disclosure of treatment records.

See Rule 120 for definition of the "official court record."

This rule is [meant] **intended** to include the contents of the official court record as described in Rule 166.

When delinquency proceedings are commenced pursuant to Rule 200(4), the entire criminal court file is to be transferred with the case to juvenile court. This criminal case file is now the juvenile court file, which is the official court record, and the disclosure requirements of this rule apply.

[Paragraph (C)] **Subdivision (c)** protects the juvenile from dissemination of information contained in the official court record to unauthorized sources. Nothing in this rule is intended to preclude the juvenile or the juvenile's attorney from discussing the case with others, such as, local newspaper reporters. However, specific information concerning the victim should not be disseminated by the juvenile or the juvenile's attorney.

Under [paragraph (D)] **subdivision (d)**, there is one document for each eligible case that is open for public inspection. The public document should be clearly marked for employees of the clerks' office as the only document available for inspection by the general public. All other information contained in the official court record

is not open for public inspection but only open to inspection to the persons enumerated in [paragraph (A)] **subdivision (a)**.

See Rule 330 for designation of public availability status in the juvenile petition. See Rule 515 for designation of public availability status in the dispositional order.

[Official Note: Rule 160 adopted April 1, 2005, effective October 1, 2005. Amended December 30, 2005, effective immediately. Amended August 20, 2007, effective December 1, 2007. Amended May 12, 2008, effective immediately. Amended December 24, 2009, effective immediately. Amended May 21, 2012, effective August 1, 2012. Amended April 6, 2017, effective September 1, 2017.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 160 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the revisions of Rule 160 published with the Court's Order at 36 Pa.B. 186 (January 14, 2006).

Final Report explaining the amendments to Rule 160 published with the Court's Order at 37 Pa.B. 4866 (September 8, 2007).

Final Report explaining the amendments to Rule 160 published with the Court's Order at 38 Pa.B. 2360 (May 24, 2008).

Final Report explaining the amendments to Rule 160 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 160 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Final Report explaining the amendments to Rule 160 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).]

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

PART C. RECORDS

PART C(1). ACCESS TO JUVENILE COURT RECORDS

Rule 1160. [**Inspection of the Official Court Record**] **Inspecting, Copying, and Disseminating the Official Court Record.**

(a) **Inspecting.** The official court record is only open to inspection by:

(1) The [**judges, officers,**] **court** and [**professional**] staff of the court;

(2) The parties to the proceeding and their counsel and representatives, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except at the discretion of the court;

(3) A public or private agency or institution providing supervision or having custody of the child under order of the court;

(4) [**A court, its p**] Probation officers, other officials or professional staff, and the attorney for the defendant

for use in preparing a presentence report in a criminal case in which the defendant is convicted and who prior thereto had been a party to a proceeding under the Juvenile Act, 42 Pa.C.S. § 6301 *et seq.*;

(5) The Administrative Office of Pennsylvania Courts;

(6) The judges, officers and professional staff of courts of other jurisdictions when necessary for the discharge of their official duties;

(7) Officials of the Department of Corrections, a State Correctional Institution or other penal institution to which an individual who was previously adjudicated delinquent in a proceeding under the Juvenile Act, 42 Pa.C.S. §§ 6301 *et seq.*, has been committed, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except at the discretion of the court;

(8) A parole board [, court] or county probation official in considering an individual's parole or in exercising supervision over any individual who was previously adjudicated delinquent in a proceeding under the Juvenile Act, 42 Pa.C.S. §§ 6301 *et seq.*, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except at the discretion of the court [.];

(9) The State Sexual Offenders Assessment Board for use in completing assessments; [and]

(10) other persons presiding as a judicial officer when determining child custody;

(11) the Department of Human Services when determining whether the party's name and related information as provided in 23 Pa.C.S. § 6336 should be expunged from the Statewide database; and

[10] (12) With leave of court, any other person or agency or institution having a legitimate interest in the proceedings or in the work of the unified judicial system.

(b) Copying. Any person, agency, or department permitted to inspect the record pursuant to subdivision (a) may copy or be provided with a copy of the record.

(c) Disseminating. Unauthorized dissemination of any information contained in the official court record to a person, agency, or department not permitted to inspect or copy the record pursuant to this rule may result in a finding of contempt of court.

Comment

See the Juvenile Act, 42 Pa.C.S. § 6307, for the statutory provisions on inspection of all files and records of the court in a proceeding.

Persons specified in 23 Pa.C.S. § 6340 as having access to reports may qualify as persons having a legitimate interest in the proceedings under [paragraph (10)] **subdivision (a)(12).** See 23 Pa.C.S. § 6340. **Additionally, pursuant to subdivision (a)(10), other persons authorized by the court to assist in custody cases have access to the official court record when determining custody, as provided in 23 Pa.C.S. §§ 5328 and 5329.1.**

This rule is [meant] **intended** to include the contents of the official court record as described in Rule 1166, which does not include **county** agency records.

[***Official Note:*** Rule 1160 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1160 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1160 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).]

CHAPTER 14. ADJUDICATORY HEARING

Rule 1409. Adjudication of Dependency and Court Order.

[**A.**] **(a) *Adjudicating [the child dependent] Child Dependent.*** Once the court has made its findings under Rule 1408, the court shall enter an order whether the child is dependent.

(1) *Dependency.* If the court finds from clear and convincing evidence that the child is dependent, the court shall proceed to a dispositional hearing under Rule 1512.

(2) **No [dependency] Dependency. The court shall dismiss a petition:**

(i) [If] if the court finds the child not to be dependent [or the court finds a parent ready, willing, and able to provide proper parental care or control, the court shall:

a) dismiss the petition;

b) because of a lack of clear and convincing evidence, and order the child to be discharged from custody and vacate any restrictions ordered in the proceedings; [and] or

(ii) if the court finds a parent ready, willing, and able to provide proper parental care or control, the court shall:

(A) prepare a separate order awarding custody, together with any conditions and limitations as is necessary for the protection of the child, using the terminology set forth in 23 Pa.C.S. § 5322;

(B) include within the custody order the dependency court docket number and set forth separate findings of fact necessary to determine the best interest of the child or state that such findings may be located on the dependency docket; and

(C) file the custody order on the custody docket in accordance with local rule.

[(c) enter an order identifying individual(s) who will have the legal and physical custody until such order is modified by further order of the court.]

[**B.**] **(b) *Timing.***

(1) *Child in [custody] Custody.* If a child is removed from the home, the court shall enter an adjudication of dependency within seven days of the adjudicatory hearing and enter its findings pursuant to Rule 1408.

(2) *Child [not in custody] Not in Custody.* If a child is not removed from the home and if the court fails to enter an order of dependency, the court shall hold a status hearing every [thirty] **30** days.

[C.] (c) *Court [order] Order.* The court shall include the following in its court order:

(1) A statement pursuant to [paragraph (A)] **subdivision (a)**:

[a] (i) as to whether the court finds the child to be dependent from clear and convincing evidence;

[b] (ii) including the specific factual findings that form the bases of the court's decision;

[c] (iii) including any legal determinations made; and

(2) Any orders directing the removal of a child from the home or change in the current residential status, including:

[a] (i) orders as to placement; or

[b] (ii) visitation; or

[c] (iii) change in custody; and

(3) Any orders as to any aids in disposition that may assist in the preparation of the dispositional hearing, including orders regarding family finding.

Comment:

Before the court can find a child to be dependent, there must be clear and convincing evidence in support of the petition. The burden of proof is on the petitioner. The court's inquiry is to be comprehensive and its findings are to be supported by specific findings of fact and a full discussion of the evidence. *In re LaRue*, [244 Pa. Super. 218,] 366 A.2d 1271 (Pa. Super. 1976). *See also In re Frank W.D., Jr.*, [315 Pa. Super. 510,] 462 A.2d 708 (Pa. Super. 1983); *In re Clouse*, [244 Pa. Super. 396,] 368 A.2d 780 (Pa. Super. 1976). The evidence must support that the child is dependent. *In the Matter of DeSavage*, [241 Pa. Super. 174,] 360 A.2d 237 (Pa. Super. 1976). The court is not free to apply the best interest of the child standard as the requirements of the Juvenile Act, 42 Pa.C.S. § 6341(c), require clear and convincing evidence that the child is dependent is the proper standard. *In re Haynes*, [326 Pa. Super. 311,] 473 A.2d 1365 (Pa. Super. 1983). [**A child, whose non-custodial parent is ready, willing, and able to provide adequate care for the child, cannot be found dependent on the basis of lacking proper parental care and control. *In re M.L.*, 562 Pa. 646, 757 A.2d 849 (2000). A trial court has the authority to transfer custody or modify custody to the child's non-custodial parent without a finding of dependency if sufficient evidence of dependency would have existed but for the availability of the non-custodial parent. *In re Justin S.*, 375 Pa. Super. 88, 543 A.2d 1192 (1988).]**

The court is to specify which allegations in the petition are the bases for the finding of dependency pursuant to Rule 1408. The court is to make an adjudication of dependency based upon the allegations in the petition, not on alternative grounds. Due process and fundamental fairness require adequate notice of the allegations to afford a reasonable opportunity to prepare a defense. *In re R.M.*, [567 Pa. 646,] 790 A.2d 300 (Pa. 2002).

A child, whose non-custodial parent is ready, willing, and able to provide adequate care for the child, cannot be found dependent on the basis of lacking proper parental care and control. *In re*

***M.L.*, 757 A.2d 849 (Pa. 2000). A trial court has the authority to award custody to the child's non-custodial parent without a finding of dependency if sufficient evidence of dependency would have existed but for the availability of the non-custodial parent. *In re Justin S.*, 543 A.2d 1192 (Pa. Super. 1988).**

An order entered pursuant to subdivision (a)(2)(ii) may award custody to the non-custodial parent with the filing of a new custody order or through modification of an existing custody order. Requirements for the initiation of a custody action and the waiver of any filing fees are matters reserved for local rule or order.

[Under paragraph (B), if a child is removed from the home, a finding of dependency is to be made within seven days.]

Under [paragraph (C)(3)] **subdivision (c)(3)**, aids in disposition may include, but are not limited to, any services, investigations, evaluations, studies, treatment plans, and any other appropriate reports that may aid the court in making its determination at the dispositional hearing. See 42 Pa.C.S. § 6339 for orders of a social study or physical and mental examinations and treatment.

See also 42 Pa.C.S. §§ 6341 [&] and 6302.

Pursuant to [paragraph (C)(3)] **subdivision (c)(3)**, when making its determination for reasonable efforts made by the county agency, the court is to consider the extent to which the county agency has fulfilled its obligation pursuant to Rule 1149 regarding family finding. *See also* [Rules] Pa.R.J.C.P. 1242(C)(2) [& (3)(b) & (c)], (C)(3)(b)-(C)(3)(c), and 1330(B)(6), and Comments to [Rules] Pa.R.J.C.P. 1242, 1330, 1515, 1608, 1609, 1610, and 1611 for reasonable efforts determinations.

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

CHAPTER 15. DISPOSITIONAL HEARING

PART B. DISPOSITIONAL HEARING AND AIDS

Rule 1515. Dispositional Order.

[A.] (a) *Generally.* When the court enters a disposition, the court shall issue a written order, which provides that the disposition is best suited to the safety, protection, and physical, mental, and moral welfare of the child. The order shall include:

- (1) any findings pursuant to Rules 1512(D) and 1514;
- (2) the date of the order; and
- (3) the signature and printed name of the judge entering the order.

[B.] (b) *Transfer of [custody] Custody.* If the court [decides to transfer] **transfers legal or physical** custody of the child to a person or agency found to be qualified to provide care, shelter, and supervision of the child, **then** the dispositional order shall include:

(1) the name and address of such person or agency, unless the court determines disclosure is inappropriate;

(2) the **conditions and** limitations [of the order, including the type of custody granted] on custody; and

(3) any visitation rights.

[C.] (c) *Guardian.* [The] **If the court permits the child to remain with the parents or guardian, then the dispositional order shall include any [conditions, limitations, restrictions, and obligations imposed upon the guardian] conditions and limitations on the child's legal or physical custody as is necessary for the protection of the child.**

Comment:

See 42 Pa.C.S. §§ 6310, 6351.

When issuing a dispositional order, the court should issue an order that is “best suited to the safety, protection, and physical, mental, and moral welfare of the child.” 42 Pa.C.S. § 6351(a). See *In re S.J.*, 906 A.2d 547, 551 (Pa. Super. [Ct.] 2006) (citing *In re Tameka M.*, [525 Pa. 348,] 580 A.2d 750 (Pa. 1990)), for issues addressing a child’s mental and moral welfare.

When making its determination for reasonable efforts made by the county agency, the court is to consider the extent to which the county agency has fulfilled its obligation pursuant to Rule 1149 regarding family finding. See also [Rules] Pa.R.J.C.P. 1240(B)(6), 1242(C)(2) [& (3)(b) & (c)], (C)(3)(b)-(C)(3)(c), and 1330(B)(6), and Comments to [Rules] Pa.R.J.C.P. 1242, 1330, 1409, 1608, 1609, 1610, and 1611 for reasonable efforts determinations.

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

Funding through the Federal Financial Participation is not available when a court orders placement with a specific foster provider. See 45 C.F.R. § 1356.21(g)(3).

Dispositional orders should comport in substantial form and content to the model orders to receive funding under the federal Adoption and Safe Families Act (ASFA) of 1997 (P.L. 105-89). The model forms are also in compliance with Title IV-B and Title IV-E of the Social Security Act. For model orders, see <http://www.pacourts.us/forms/dependency-forms>.

See *In re Tameka M.*, [525 Pa. 348,] 580 A.2d 750 (Pa. 1990).

The custody order should set forth any conditions and limitations using the terminology set forth in 23 Pa.C.S. § 5322. The transfer of legal custody vests the custodian with the authority to determine the nature and treatment of the child for ordinary medical care. See 42 Pa.C.S. § 6357. For pre-dispositional examination and treatment of a child,

see Rule 1145. For non-emergent, non-routine care not already included in an approved treatment plan, the custodian should seek parental consent or receive prior court authorization when consent cannot be obtained.

CHAPTER 16. POST-DISPOSITIONAL PROCEDURES

PART D. CESSATION OR RESUMPTION OF COURT SUPERVISION OR JURISDICTION

Rule 1631. Termination of Court Supervision.

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

(1) the child has remained with the guardian and the circumstances which necessitated the dependency adjudication have been alleviated;

(2) the child has been reunified with the guardian and the circumstances which necessitated the dependency adjudication and placement have been alleviated;

(3) the child is under 18 years of age and has been placed with a ready, willing, and able parent who was not previously identified by the county agency;

(4) the child has been adopted and services from the county agency are no longer needed;

(5) the child has been placed in the custody of a permanent legal custodian and services from the county agency are no longer needed;

(6) the child has been placed in the physical and legal custody of a fit and willing relative and services from the county agency are no longer needed;

(7) the child has been placed in another living arrangement intended to be permanent and services from the county agency are no longer needed and a hearing has been held pursuant to subdivision (e) for a child who is age eighteen or older;

(8) the child has been adjudicated delinquent and services from the county agency are no longer needed because all dependency issues have been resolved;

(9) the child has been emancipated by the court;

(10) the child is 18 years of age or older and a hearing has been held pursuant to subdivision (e);

(11) the child has died;

(12) a court in another county of this Commonwealth has accepted jurisdiction; or

(13) a court in another state has accepted jurisdiction.

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

Order Transferring or Affecting Custody.

(1) ***Mandatory.*** When the court terminates supervision pursuant to subdivision (a)(3), (a)(5), or (a)(6), the court shall:

(i) prepare a separate order awarding custody, together with any conditions and limitations as is necessary for the protection of the child, using the terminology set forth in 23 Pa.C.S. § 5322;

(ii) include within the custody order the dependency court docket number and set forth separate findings of fact necessary to determine the best interest of the child or state that such findings may be located on the dependency docket;

(iii) file the custody order on the custody docket in accordance with local rule; and

(iv) order the termination of court supervision.

(2) Discretionary. When the court terminates supervision pursuant to subdivision (a)(2), the court may prepare and have filed an order in accordance with subdivision (b)(1) governing partial custody of the child.

(c) *Objection.* Any party may object to a motion under subdivision (a) and request a hearing.

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

(e) *Children 18 Years of Age or Older.*

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

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

- (i) the specific plans for housing;
- (ii) a description of the child's source of income;
- (iii) the specific plans for pursuing educational or vocational training goals;
- (iv) the child's employment goals and whether the child is employed;
- (v) a description of the health insurance plan that the child is expected to obtain and any continued health or behavioral health needs of the child;
- (vi) a description of any available programs that would provide mentors or assistance in establishing positive adult connections;
- (vii) verification that all vital identification documents and records have been provided to the child;
- (viii) a description of any other needed support services;
- (ix) a list, with contact information, of supportive adults and family members; and
- (x) notice to the child that the child can request resumption of juvenile court jurisdiction until the child turns 21 years of age if specific conditions are met.

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

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

been offered, is unwilling to consent to the supervision and the court determines termination is warranted.

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

Comment:

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

For guidelines under subdivision (a), see 42 Pa.C.S. §§ 6301(b) and 6351(f.1).

A child under eighteen years of age whose non-custodial parent is ready, willing, and able to provide adequate care for the child may no longer be deemed dependent. In re M.L., 757 A.2d 849 (Pa. 2000). When services from the county agency are no longer necessary pursuant to subdivision (a)(3) because the court has determined that the child is not dependent because a non-custodial parent has been found by the court to be able and available, the court should enter an order awarding custody to that parent pursuant to subdivision (b)(1). For children 18 years of age and older, see subdivision (e).

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

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

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

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

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

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

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

An order entered pursuant to subdivision (b)(1) when terminating supervision pursuant to subdivision (a)(3), (a)(5), or (a)(7) shall award custody with the filing of a new custody order or through modification of an existing custody order. Requirements for the initiation of a custody action and the waiver of any filing fees are matters reserved for local rule or order.

Subdivision (b)(2) is intended to permit the court to establish any necessary conditions and limitations for the protection of the child on “visitation” by others.

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

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

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

**SUPREME COURT OF PENNSYLVANIA
JUVENILE COURT PROCEDURAL RULES
COMMITTEE**

PUBLICATION REPORT

**Proposed Amendment of Pa.R.J.C.P. 160, 1160, 1409,
1515, and 1631**

The Juvenile Court Procedural Rules Committee (“Committee”) proposes to amend Rules 160 and 1160 to reflect the amendment of the Juvenile Act regarding access to juvenile court records. The Committee further proposes to amend Rules 1409, 1515, and 1631 to establish procedures for orders affecting or transferring custody.

Concerning the proposed amendments to Pa.R.J.C.P. 160 and 1160, they are primarily intended to reflect statutorily expanded access to juvenile court records for courts determining child custody and the Department of Human Services determining expungement of an indicated or founded report of child abuse. *See also* 42 Pa.C.S. § 6307(a)(4.1), (a)(6.5). Further, subdivisions (b) and (c) are proposed to be added to Pa.R.J.C.P. 1160 to maintain a parallel structure with Pa.R.J.C.P. 160.

Concerning the custody order procedures, the Committee acknowledges the long-standing use of custody order in dependency matters. However, there appears to be a varied state practice concerning the docketing of those custody orders. The Committee previously proposed amendments that would require the filing of a separate custody order on the custody docket. *See* 46 Pa.B. 3951 (July 23, 2016); 47 Pa.B. 3333 (June 17, 2017). Ultimately, rulemaking was discontinued in favor of perpetuating practices more responsive to local conditions. However, after continued monitoring of local practices, the Committee now proposes new amendments intended to establish a degree of uniformity through statewide procedures.

The proposed amendments contained in Pa.R.J.C.P. 1409 and 1631 would require the filing of a dependency court custody order on the custody docket when the

dependency court awards custody in lieu of dependency or when terminating supervision. The custody order must be separate from the dependency order to prevent the unnecessary dissemination of confidential information that may be contained within the dependency order and findings. Yet, a custody order simply setting forth present conditions and limitations would not assist a judge in deciding whether a subsequent modification is in the best interest of the child. Therefore, the custody order is to contain the dependency court docket number and either set forth necessary facts or state where such findings may be found on the dependency docket. Finally, the custody order shall be filed on the custody docket. Left to local rule are the procedures governing further filings and the waiver of filing fees.

Additionally, Pa.R.J.C.P. 1409(a)(2) was revised to clarify that a petition may be dismissed due to: 1) a lack of evidence; or 2) a ready, willing, and able parent. Pa.R.J.C.P. 1515 was revised to differentiate the types of custody, *i.e.*, physical and legal custody, so that any conditions and limitations will be specific to the type of custody.

Moreover, in Pa.R.J.C.P. 1631, subdivision (b) would be further subdivided to address custody orders when supervision is terminated. Subdivision (b)(1) would require a custody order when supervision is terminated pursuant to subdivisions (a)(3), (a)(5), or (a)(6). However, there are circumstances when a child’s parents are separated and the child is reunified with one parent who has been, and continues to be, the primary caregiver. After supervision has been terminated, the other parent may file a custody action but there would be nothing on the custody docket regarding the prior dependency case. The subcommittee thought it would be in the child’s best interest for the dependency court to be able to enter a custody order addressing any “visitation” or partial custody of the child involving the other parent. The dependency court could then ensure that any conditions or limitations would be protective of the child. Accordingly, the Committee proposes subdivision (b)(2) authorizing, but not mandating, the creation and entry of a custody order.

This proposal does not require a dependency court entering a custody order to address all the custody factors in Title 23. *See* 23 Pa.C.S. § 5328. The Committee was not inclined to make such a proposal primarily because dependency proceedings are subject to the Juvenile Act in Title 42, not Title 23. Further, there did not appear a generally accepted practice of the dependency court addressing the Title 23 custody factors. Yet, the Committee recognizes that not addressing the custody factors may render a custody order more readily subject to modification. Comments are specifically invited on this topic.

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

[Pa.B. Doc. No. 23-629. Filed for public inspection May 12, 2023, 9:00 a.m.]

**DISCIPLINARY BOARD
OF THE SUPREME COURT**

**Notice of Collection Fee and Late Payment Penalty;
2023-2024 Registration Year**

Notice is hereby given that in accordance with Pennsylvania Rules of Disciplinary Enforcement 219(d)(2) and 219(f), The Disciplinary Board of the Supreme Court of

Pennsylvania has established the collection fee for payments returned as unpaid and the late payment penalty for the 2023-2024 Registration Year as follows:

Where a payment of the annual registration fee for attorneys has been returned to the Board unpaid, the collection fee will be \$25.00 per returned item.

Any attorney who fails to complete registration by July 16 shall be automatically assessed a non-waivable late payment penalty of \$200.00. A second non-waivable late payment penalty of \$200.00 shall be automatically added to the delinquent account of any attorney who has failed to complete registration by August 1.

SUZANNE E. PRICE,
Attorney Registrar

[Pa.B. Doc. No. 23-630. Filed for public inspection May 12, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated May 3, 2023, Ralph A. Gonzalez (# 48757), whose registered address is in Voorhees, NJ, is suspended from the practice of law in this Commonwealth for a period of one year, effective June 2, 2023. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-633. Filed for public inspection May 12, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Barry Jay Beran having been suspended from the practice of law in the State of New Jersey; the Supreme Court of Pennsylvania issued an Order dated May 3, 2023 suspending Barry Jay Beran from the practice of law in this Commonwealth for a period of five years, consecutive to the three-year term of suspension ordered by this Court on October 5, 2022. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-631. Filed for public inspection May 12, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Edward Harrington Heyburn having been suspended from the practice of law in the Supreme Court of New Jersey; the Supreme Court of Pennsylvania issued an Order dated May 3, 2023 suspending Edward Harrington Heyburn (# 80472) from the practice of law in this Commonwealth for a period of two years, consecutive to the 18-month term of suspension ordered by this Court on October 5, 2022.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-634. Filed for public inspection May 12, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated May 3, 2023, Mark William Ford (# 45963), whose registered address is in Gloucester City, NJ, is suspended from the practice of law in this Commonwealth for a period of one year, effective June 2, 2023. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-632. Filed for public inspection May 12, 2023, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated May 3, 2023, Michael David Lindner, Jr. (# 79320), whose registered address is in Woodbury, NJ, is suspended from the practice of law in this Commonwealth for a period of three months, effective June 2, 2023. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 23-635. Filed for public inspection May 12, 2023, 9:00 a.m.]

PROPOSED RULEMAKING

OFFICE OF ATTORNEY GENERAL

[37 PA. CODE CH. 301]

Automotive Industry Trade Practices

The Office of Attorney General (OAG), through its Public Protection Division, proposes to amend 37 Pa. Code by amending Chapter 301 (relating to automotive industry trade practices) to read as set forth in Annex A.

A. *Effective Date*

This proposed rulemaking will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this proposed rulemaking, the primary contact is Sarah Frasch, Chief Deputy Attorney General, Bureau of Consumer Protection, and the secondary contact is John Abel, Senior Deputy Attorney General, Bureau of Consumer Protection, Pennsylvania Office of Attorney General, Strawberry Square, 15th Floor, Harrisburg, PA 17120, (717) 787-9707. This proposed rulemaking is available on the OAG web site at www.attorneygeneral.gov.

C. *Statutory Authority*

This proposed rulemaking is authorized under section 3.1 of the Unfair Trade Practices and Consumer Protection Law (act) (73 P.S. § 201-3.1), regarding the statutory rulemaking authority of the OAG.

D. *Purpose and Background*

This proposed rulemaking is designed to improve, enhance and update the OAG's unfair or deceptive acts or practices regulations. The specific purpose of this proposed rulemaking is described in more detail under the summary of proposed rulemaking.

E. *Summary of Proposed Rulemaking*

1. *Introduction*

The OAG enforces and administers the act. The OAG has determined that it is necessary for the enforcement and the administration of the act to amend the existing automotive industry trade practices regulations to provide adequate protections to consumers regarding the inspection of motor vehicles and the written disclosure of certain attributes of a motor vehicle's roadworthiness.

2. *Policy and Determination*

The OAG has long taken the policy position that certain unfair or deceptive automotive industry market trade practices constitute unfair methods of competition and unfair or deceptive acts or practices in violation of the act.

Through the experience of investigation and litigation, the OAG has identified that motor vehicle dealers are increasingly utilizing electronic means to advertise the sale of particular motor vehicles and motor vehicle goods and services, a practice which is not explicitly captured in the automotive industry trade practices regulations' current definition of "advertisement." The OAG has further identified that the disclosures and inspections which motor vehicle dealers are currently required to perform are insufficient to fully inform consumers that they are purchasing motor vehicles bearing certain unsafe conditions. The OAG has determined that this proposed rule-

making under the act will remedy these vacuums under the laws of the Commonwealth.

3. *Automotive Industry Trade Practices*

The OAG has adopted the staff recommendation to make certain amendments to the Automotive Industry Trade Practices regulations. First, § 301.1 (relating to definitions) is proposed to be amended to include electronic means in the definition of "advertisement." Second, § 301.2(5) (relating to advertising and sales presentation requirements) is proposed to be amended to include an additional condition which the advertiser or seller of a motor vehicle must disclose if they know or should know it exists in the motor vehicle: "Any other material condition which substantially impairs vehicle use or safety." Paragraph (5) is additionally proposed to be amended to require that this disclosure be provided in writing.

Third, § 301.2(5.1) is proposed to be added. It requires a certified inspection mechanic designated by the selling motor vehicle dealer to inspect a motor vehicle not more than 30 days after it enters the motor vehicle dealer's inventory and, thereafter, not more than 30 days after each time the motor vehicle accumulates 500 miles before advertising it or offering it for sale. This section does not apply to sales of motor vehicles between two motor vehicle dealers.

Finally, § 301.4(9.1) (relating to general provisions—motor vehicle dealer) is proposed to be added and clarifies that compliance with § 301.2(5) is still required notwithstanding any use of the term "AS IS" under § 301.4(9). The selling motor vehicle dealer must describe the vehicle as being sold "AS-IS," and list in writing any conditions listed in § 301.2(5) present in the vehicle.

These amendments have been prepared in light of comments previously submitted by interested parties, the Pennsylvania Automotive Association and the Independent Automobile Dealers Association of Pennsylvania.

4. *Basic Policy Choice*

"The operative provision of the Unfair Trade Practices and Consumer Protection Law provides: 'Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce...are hereby declared unlawful.'" See 73 P.S. § 201-3. *Gabriel v. O'Hara*, 368 Pa. Super. 383, 391, 534 A.2d 488, 492 (1987). The operative provision of the act provides the Legislature's basic policy choice which guides the OAG's proposed rulemaking. The OAG proposes that Chapter 301 be amended to read as set forth in Annex A.

F. *Paperwork*

Generally, this proposed rulemaking will not increase paperwork and will not create new paperwork requirements. This proposed rulemaking will have a de minimis impact on paperwork for class action representatives purporting to settle and release OAG claims under the act.

G. *Benefits, Costs and Compliance*

Through this proposed rulemaking, consumers will be further protected from unfair methods of competition and unfair or deceptive acts or practices in the conduct of trade or commerce by unscrupulous businesses. The clear articulation of this unfair or deceptive trade practices regulation will make the regulation easier to understand by the public and will facilitate compliance.

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. This proposed rulemaking will impose no significant new costs on the private sector or the general public.

H. *Sunset Review*

The OAG is not establishing a sunset date for these regulations because they are needed for the OAG to carry out its statutory authority and because the OAG will periodically review these regulations for their effectiveness.

I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 28, 2023, the OAG submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Judiciary Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the OAG, the General Assembly and the Governor.

J. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Bureau of Consumer Protection, Office of Attorney General, Strawberry Square, 15th Floor, Harrisburg, PA 17120 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. A public hearing occurred on September 11, 2018, under section 3.1 of the act.

Comments also may be submitted by e-mail to consumers@attorneygeneral.gov. If an acknowledgement of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

MICHELLE A. HENRY,
Attorney General

Fiscal Note: 59-001. No fiscal impact; recommends adoption.

Annex A

TITLE 37. LAW

**PART V. [BUREAU OF CONSUMER PROTECTION]
UNFAIR TRADE PRACTICES**

**CHAPTER 301. AUTOMOTIVE INDUSTRY TRADE
PRACTICES**

§ 301.1. Definitions.

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

Advertisement—An oral, written or graphic statement which offers for sale a particular motor vehicle or motor vehicle goods and services or which indicates the availability of a motor vehicle or motor vehicle goods and

services, including a statement or representations made in a newspaper, periodical, pamphlet, circular, other publication or on radio or television; contained in a notice, handbill, sign, billboard, poster, bill, catalog or letter; **placed on a web site, in a mobile application, on a social media outlet or on any other electronic platform;** or printed on or contained in a tag or label which is attached to merchandise.

* * * * *

§ 301.2. Advertising and sales presentation requirements.

With respect to an advertisement or sales presentation offering or making available for sale a new or used motor vehicle or maintenance service or repair on a new or used motor vehicle, the following will be considered unfair methods of competition and unfair or deceptive acts or practices:

* * * * *

(5) The representation in an advertisement or sales presentation that a motor vehicle or motor vehicle goods or services are of a particular style, model, standard, quality or grade if they are of another or if the representation conflicts with a written notice or disclosure required under this chapter. For the purposes of this chapter, a motor vehicle which is offered for sale is represented to be roadworthy, and the advertiser or seller shall disclose **in writing** prior to sale the following conditions if the advertiser or seller knows or should know that the conditions exist in the motor vehicle:

- (i) Frame bent, cracked or twisted.
- (ii) Engine block or head cracked.
- (iii) Vehicle unable to pass State inspection.
- (iv) Transmission damaged, defective or so deteriorated as to require replacement.
- (v) Vehicle flood damaged.
- (vi) Differential damaged, defective or so deteriorated as to require replacement.

(vii) Any other material condition which substantially impairs vehicle use or safety.

(5.1) Except as to a sale of a motor vehicle to another motor vehicle dealer, the advertisement or offering of a motor vehicle for sale unless a certified inspection mechanic designated by the selling motor vehicle dealer has inspected the motor vehicle in accordance with 67 Pa. Code Chapter 175 (relating to vehicle equipment and inspection):

(i) Not more than 30 days after the motor vehicle comes into the inventory of the selling motor vehicle dealer or advertiser; and

(ii) Not more than 30 days after each time the motor vehicle accumulates 500 miles while in the inventory of the selling motor vehicle dealer or advertiser.

(6) The making of a representation or statement of a fact in an advertisement or sales presentation if the advertiser or salesperson knows or should know that the representation or statement is false and misleading or if the advertiser or salesperson does not have sufficient information upon which a reasonable belief in the truth of the representation could be based.

* * * * *

§ 301.4. General provisions—motor vehicle dealer.

(a) With regard to a motor vehicle dealer, the following will be considered unfair methods of competition and unfair or deceptive acts or practices:

* * * * *

(9.1) If a motor vehicle is not roadworthy at the time the motor vehicle is offered for sale, using the term “AS-IS” as set forth in this section does not satisfy the written disclosure requirement in § 301.2(5) (relating to advertising and sales presentation requirements). The written contract required under subsection (a)(1) for the sale of a motor vehicle must instead include, in a clear and conspicuous manner on the face of the document,

information that the motor vehicle is sold “AS-IS” and a list of the conditions, as set forth in § 301.2(5), present in the motor vehicle.

(10) Failing to forward to the proper Commonwealth agency amounts and forms tendered by a purchaser, such as sales tax and transfer and registration fees, within the time prescribed by law.

(b) If the sales presentation and agreement of sale has been effected in a language other than English, the written information, notice and disclosures required by subsection (a) shall be given in the principal language in which the sale was transacted as well as English.

[Pa.B. Doc. No. 23-636. Filed for public inspection May 12, 2023, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending May 2, 2023.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
04-28-2023	LINKBANK Camp Hill Cumberland County	Filed
	Application for approval to merge The Bank of Delmarva, Seaford, DE and Virginia Partners Bank, Fredericksburg, VA, with and into LINKBANK, Camp Hill, PA.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
04-25-2023	CNB Bank Clearfield Clearfield County	635 South State Street Westerville Franklin County, OH	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
05-01-2023	Somerset Trust Company Somerset Somerset County	<i>To:</i> 964 Barn Street Hooversville Somerset County	Approved
		<i>From:</i> 803 Barn Street Hooversville Somerset County	
05-01-2023	Somerset Trust Company Somerset Somerset County	<i>To:</i> 964 Barn Street Hooversville Somerset County	Effective
		<i>From:</i> 803 Barn Street Hooversville Somerset County	

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
04-26-2023	American Bank Allentown Lehigh County	Effective
	Amendment to Article Second of the institution's Articles of Incorporation provides for the principal place of business of the bank to be relocated from 4029 West Tilghman Street, Allentown, Lehigh County, PA, to 615 Waterfront Drive, Suite 501, Allentown, Lehigh County, PA.	
	Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	

CREDIT UNIONS

No activity.

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

WENDY S. SPICHER,
Interim Acting Secretary

[Pa.B. Doc. No. 23-637. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General Chapter 92a NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.
- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

Additional information on these applications and NOIs may be reviewed by generating the “Applications and NOIs without Comment Periods Report” or, for Individual WQM Permit Applications, the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice.

Section II identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications and draft permits, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of DEP for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the

“Applications Received with Comment Periods Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

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

Applications, NOIs and draft permits, where applicable, may be reviewed at the DEP office that received the application or NOI. Members of the public are encouraged to use DEP’s website to obtain additional information as discussed previously.

Comments received within the appropriate comment periods for WQM and NPDES permit applications will be retained by DEP and considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform DEP of the exact basis of a comment and the relevant facts upon which it is based.

DEP office contact information to review applications and NOIs and to submit comments for those applications, when applicable, is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6340. Email: RA-EPNPDES_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if DEP determines that there is a significant public interest. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. DEP will postpone its final determination until after a public hearing is held.

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0813811	Joint DEP/PFBC Pesticides Permit	Renewal	Eastern Bradford Rod & Gun Club 1562 Flanagan Road Wyalusing, PA 18853-8701	Pike Township Bradford County	NCRO
0913826	Joint DEP/PFBC Pesticides Permit	Renewal	Heinz Wearn and Lennon Mary P.O. Box 97 Pipersville, PA 18947-0097	Bedminster Township Bucks County	SERO
0913849	Joint DEP/PFBC Pesticides Permit	Renewal	Eastburn Phyllis 75 Short Road Doylestown, PA 19014	Doylestown Borough Bucks County	SERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0913997	Joint DEP/PFBC Pesticides Permit	Renewal	Sweet Briar Village Condo Assoc 975 Easton Road Suite 102 Warrington, PA 18976	Warrington Township Bucks County	SERO
4613842	Joint DEP/PFBC Pesticides Permit	Renewal	Franconia Township Montgomery County 671 Allentown Road Telford, PA 18969-2205	Souderton Borough Montgomery County	SERO
3623404	Land Application and Reuse of Sewage Individual WQM Permit	New	Grager Todd 299 Coffee Street Millersville, PA 17551-9635	Manor Township Lancaster County	SCRO
4902407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Kulpmont & Marion Heights Borough Joint Municipal Authority Northumberland County 9590 State Route 61 Coal Township, PA 17866-4110	Coal Township Northumberland County	NCRO
NNOEXNC78	No Exposure Certification	New	Silcotek Corp 225 Penntech Drive Bellefonte, PA 16823-7461	Benner Township Centre County	NCRO
NOEXNW231	No Exposure Certification	New	Greenleaf Corp 18695 Greenleaf Drive Saegertown, PA 16433-4429	Hayfield Township Crawford County	NWRO
PAG030039	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Morton Salt Inc. 12 Solar Drive Fairless Hills, PA 19030	Falls Township Bucks County	SERO
PAG030061	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Gelest Inc. 11 East Steel Road Morrisville, PA 19067	Falls Township Bucks County	SERO
PAG030101	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	General Machine Products KT LLC 3111 Old Lincoln Highway Trevoise, PA 19053	Bensalem Township Bucks County	SERO
PAG030103	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Oldcastle Infrastructure 1900 Pennsylvania Avenue Croydon, PA 19021-6800	Bristol Township Bucks County	SERO
PAG030187	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Air Liquide Electronics US LP 19 Steel Road W Morrisville, PA 19067-3615	Morrisville Borough Bucks County	SERO
PAG030238	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	JKLM Corp 1575 Route 309 Quakertown, PA 18951-4156	Springfield Township Bucks County	SERO
PAG032223	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Ground Pkg System Inc. Environmental Services 1000 Fedex Drive Moon Township, PA 15108	Pittston Township Luzerne County	NERO
PAG032302	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Denaples Auto Parts Inc. 400 Mill Street Dunmore, PA 18512-2827	Dunmore Borough Lackawanna County	NERO
PAG032361	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Johns Manville Corp 600 Jaycee Drive Hazle Township, PA 18202-1154	Hazle Township Luzerne County	NERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG032362	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Hazleton Generation LLC 120 Maplewood Drive Hazle Township, PA 18202-9266	Hazle Township Luzerne County	NERO
PAG032363	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	First Student Inc. 110 Perimeter Park Road Suite E Knoxville, TN 37922-2200	Moore Township Northampton County	NERO
PAG032365	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Morgan Highway Auto Parts Inc. 400 Morgan Highway Scranton, PA 18508-2614	Scranton City Lackawanna County	NERO
PAG032368	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Shalmet Corp LLC 116 Pinedale Industrial Road Orwigsburg, PA 17961-9079	West Brunswick Township Schuylkill County	NERO
PAG032371	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Insteel Wire Products Co. 501 Forest Road Hazle Township, PA 18202-9387	Hazle Township Luzerne County	NERO
PAG032375	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Lear Corp Pine Grove 1 Penn Dye Street Pine Grove, PA 17963-9106	Pine Grove Borough Schuylkill County	NERO
PAG032378	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Weatherly Casting & Mach Co. LLC 500 E Centre Street Ashland, PA 17921-2018	Weatherly Borough Carbon County	NERO
PAG033554	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	US Pipe Fabrication LLC 596 W Trout Run Road Ephrata, PA 17522-9604	Ephrata Township Lancaster County	SCRO
PAG033570	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Penske Logistics Inc. P.O. Box 7635 Reading, PA 19603-7635	Silver Spring Township Cumberland County	SCRO
PAG033574	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Burnham Commercial 1239 Harrisburg Pike Carlisle, PA 17013-1621	Manheim Township Lancaster County	SCRO
PAG033590	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	AC Products Inc. 11823 Lenape Drive Mount Union, PA 17066-8715	Shirley Township Huntingdon County	SCRO
PAG033645	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	GVM Inc. 374 Heidlersburg Road P.O. Box 358 Biglerville, PA 17307-9256	Butler Township Adams County	SCRO
PAG033660	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Martin Mulch Products LLC 55 Woodcrest Drive Ephrata, PA 17522-9393	East Cocalico Township Lancaster County	SCRO
PAG033803	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Parmer Metered Concrete 2981 Elizabethtown Road Suite 100 Hershey, PA 17033-9321	Conewago Township Dauphin County	SCRO
PAG033813	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Defiance Metal Products of PA Inc. 550 Sunnyside Road Suite 101 Bedford, PA 15522-8666	Bedford Township Bedford County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG033814	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Land O Lakes Purina Feed LLC dba Hess Mills P.O. Box 189 6 South Vintage Road Paradise, PA 17562-0189	Paradise Township Lancaster County	SCRO
PAG033817	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Precision Cut Ind 115 Ram Drive Hanover, PA 17331	Conewago Township Adams County	SCRO
PAG033818	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	East Lampeter Township Lancaster County	SCRO
PAG033819	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Muhlenberg Township Berks County	SCRO
PAG033871	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Pennex Alum Co. 50 Community Street Wellsville, PA 17365-9661	Wellsville Borough York County	SCRO
PAG033897	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Manchester Township York County	SCRO
PAG033927	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Norfolk Southern Railway Co. 650 W Peachtree Street NW Box 13 Atlanta, GA 30308-1925	Logan Township Blair County	SCRO
PAG033940	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Allegheny Township Blair County	SCRO
PAG033941	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	UPS Cartage Service Inc. 12380 Morris Road Alpharetta, GA 30005-4616	Lower Swatara Township Dauphin County	SCRO
PAG033942	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Swatara Township Dauphin County	SCRO
PAG033943	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Straban Township Adams County	SCRO
PAG033944	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Fleur De Lait East 150 W Jackson Street New Holland, PA 17557-1607	New Holland Borough Lancaster County	SCRO
PAG033945	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	United Parcel Service Inc. 55 Glenlake Parkway Atlanta, GA 30328-3474	Chambersburg Borough Franklin County	SCRO
PAG033954	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	EZ Recycling 13004 Sandy Mount Road Orrstown, PA 17244-9630	Letterkenny Township Franklin County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG033976	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	FedEx Corp 3620 Hacks Cross Road Building B 3rd Floor Memphis, TN 38125-8800	Swatara Township Dauphin County	SCRO
PAG035028	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Truck Accessories Group LLC 3560 Housels Run Road Milton, PA 17847-9006	Milton Borough Northumberland County	NCRO
PAG036222	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Cameron A Schlumberger Co. 1614 E Roy Furman Highway Carmichaels, PA 15320-2415	Carmichaels Borough Greene County	SWRO
PAG036382	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Westmoreland County Airport Authority 148 Aviation Lane Suite 103 Latrobe, PA 15650-5399	Unity Township Westmoreland County	SWRO
PAG036436	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	IGS Ind Inc. P.O. Box 368 200 Country Club Road Meadow Lands, PA 15347-0368	Chartiers Township Washington County	SWRO
PAG036448	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Sunoco Midstream LLC 8111 Westchester Drive Dallas, TX 75225-6140	Speers Borough Washington County	SWRO
PAG036472	PAG-03 NPDES General Permit for Industrial Stormwater	New	Savage Service Corp 1258 Old Route 119 S Mt Pleasant, PA 15666	Mount Pleasant Borough Westmoreland County	SWRO
PAG036507	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Matthews Bus Co. 1112 1st Street Jefferson Hills, PA 15025-0079	Castle Shannon Borough Allegheny County	SWRO
PAG036518	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Millerstown Pick A Part Inc. 6375 A V R R Pittsburgh, PA 15201-2124	Fawn Township Allegheny County	SWRO
PAG036520	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	BFI Waste System of North American LLC 5092 Aber Road Williamsburg, OH 45176-9532	Fallowfield Township Washington County	SWRO
PAR602201	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Denaples Auto Parts Inc. 400 Mill Street Dunmore, PA 18512-2827	Dunmore Borough Lackawanna County	NERO
PAG045006	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Cooper Hilma F 5159 Arnot Road Wellsboro, PA 16901-8318	Charleston Township Tioga County	NCRO
PAG046360	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Berger Michael 348 Scaife Road Sewickley, PA 15143-9462	Sewickley Heights Borough Allegheny County	SWRO
PAG103589	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	Texas Eastern Trans LP 2701 Commerce Drive Middletown, PA 17057-3224	Todd Township Huntingdon County	SCRO
PAG123920	PAG-12 NPDES General Permit for CAFOs	Transfer	Killinger Ridge Farm LLC 457 Cold Springs Road Elizabethtown, PA 17022-8516	South Annville Township Lebanon County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
3623401	Pump Stations Individual WQM Permit	New	Lancaster Area Sewer Authority Lancaster County 130 Centerville Road Lancaster, PA 17603-4007	Manor Township Lancaster County	SCRO
3623402	Pump Stations Individual WQM Permit	New	Lancaster Area Sewer Authority Lancaster County 130 Centerville Road Lancaster, PA 17603-4007	Manor Township Lancaster County	SCRO
6510402	Pump Stations Individual WQM Permit	Amendment	Mon Valley Sewer Authority 20 S Washington Street Donora, PA 15033-1394	Carroll Township Washington County	SWRO
6576417	Pump Stations Individual WQM Permit	Amendment	Unity Township Municipal Authority Westmoreland County 370 Pleasant Unity Mutual Road Greensburg, PA 15601-6388	Unity Township Westmoreland County	SWRO
PA0239691	Single Residence STP Individual NPDES Permit	Transfer	Ott John A 111 Grouse Lane Sewickley, PA 15143-8316	Springfield Township Erie County	NWRO
PA0288659	Single Residence STP Individual NPDES Permit	Transfer	Solman Frederick F 110 Glenwood Avenue Evans City, PA 16033-9308	Forward Township Butler County	NWRO
PA0290424	Single Residence STP Individual NPDES Permit	Transfer	Pearce Saree 172 Kansas Branch Road Duke Center, PA 16729-9604	Otto Township McKean County	NWRO
1020414	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Solman Frederick F 110 Glenwood Avenue Evans City, PA 16033-9308	Forward Township Butler County	NWRO
1089405	Single Residence Sewage Treatment Plant Individual WQM Permit	Amendment	Jeana M and Mark T Ness 220 Johns School Road Renfrew, PA 16053-8722	Forward Township Butler County	NWRO
2023401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Eric and Stephanie Warren 18793 Cole Road Conneautville, PA 16406-4027	Conneaut Township Crawford County	NWRO
2506402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Ott John A 111 Grouse Lane Sewickley, PA 15143-8316	Springfield Township Erie County	NWRO
4222402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Pearce Saree 172 Kansas Branch Road Duke Center, PA 16729-9604	Otto Township McKean County	NWRO
4323409	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Strausser James 24 Bentley Avenue Greenville, PA 16125-1847	Otter Creek Township Mercer County	NWRO
5998406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Cooper Hilma F 5159 Arnot Road Wellsboro, PA 16901-8318	Charleston Township Tioga County	NCRO
WQG016156	WQG-01 WQM General Permit	Transfer	Berger Michael 348 Scaife Road Sewickley, PA 15143-9462	Sewickley Heights Borough Allegheny County	SWRO
WQG02462304	WQG-02 WQM General Permit	New	East Whiteland Township 209 Conestoga Road Frazer, PA 19355-1633	East Whiteland Township Chester County	SERO

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

Bureau of Clean Water

PA0270776, Pesticides, SIC Code 0851, **PA DCNR Bureau of Forestry, Division of Forest Health**, P.O. Box 8552, Harrisburg, PA 17105-8552.

Description of Existing Activity: The application is for a renewal of an NPDES permit for a renewal of a discharge associated with the application of pesticides statewide.

The receiving stream(s) are statewide and are classified for various existing uses, aquatic life, water supply and recreation. Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. The discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-787-5017.

The EPA waiver is in effect.

Northcentral Regional Office

PA0031453, Sewage, SIC Code 8211, **Southern Columbia Area School District**, 800 Southern Drive, Catawissa, PA 17820-8410. Facility Name: Southern Columbia Area Jr Sr High School. This existing facility is located in Franklin Township, **Columbia 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), Roaring Creek (TSF), is located in State Water Plan watershed 5-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0227 MGD.

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
Dissolved Oxygen	XXX	XXX	Inst Min Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Total Phosphorus	XXX	Daily Max Report Daily Max	XXX	XXX	Report	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.

Northcentral Regional Office

PA0007455, Industrial, SIC Code 3724, **Lycoming Engines**, 652 Oliver Street, Williamsport, PA 17701-4410. Facility Name: Lycoming Engines. This existing facility is located in City of Williamsport, **Lycoming County**.

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

The receiving stream(s), Unnamed Tributary to Lycoming Creek and Lycoming Creek, is located in State Water Plan watershed 10-A and is classified for Warm Water Fishes, Exceptional Value (existing use), 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 0.0126 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Suspended Solids	Report	Report	XXX	31.0	60.0	75
Oil and Grease	Report	Report	XXX	15	XXX	30
Cadmium, Total	0.02	0.032	XXX	0.19	0.30	0.48
Chromium, Total	Report	Report	XXX	1.71	2.77	4.27
Copper, Total	0.14	0.22	XXX	1.34	2.10	3.36
Cyanide, Total	Report	Report	XXX	0.65	1.20	1.62
Lead, Total	Report	Report	XXX	0.43	0.69	1.07
Nickel, Total	Report	Report	XXX	2.38	3.98	5.95
Silver, Total	0.042	0.065	XXX	0.40	0.62	0.99
Zinc, Total	Report	Report	XXX	1.48	2.61	3.7
Trichloroethylene	XXX	Report	XXX	XXX	0.20	0.3
Total Toxic Organics	XXX	XXX	XXX	XXX	2.13	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0388 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Trichloroethylene	XXX	0.02	XXX	XXX	0.06	0.09

The proposed effluent limits for Outfall 004 are based on a design flow of 0.9449 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Trichloroethylene	XXX	Report	XXX	XXX	0.01	0.015

The proposed effluent limits for Outfall 005 are based on a design flow of 0.0477 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Trichloroethylene	XXX	Report	XXX	XXX	0.20	0.3
Chromium, Total	Report	Report	XXX	1.71	2.77	4.28
	Avg Qrtly			Avg Qrtly		

The proposed reporting requirements for Outfall 006 are:

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

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.

Northeast Regional Office

PA0060984, Sewage, SIC Code 6515, **Outhouse Springs, LLC**, 241 Brian Lane, Dalton, PA 18414. Facility Name: Outhouse Springs. This existing facility is located in Benton Township, **Lackawanna County**.

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

The receiving stream, an Unnamed Tributary of South Branch Tunkhannock Creek (CWF, MF), is located in State Water Plan watershed 4-F 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 0.095 MGD.

(From Permit Effective Date to 1 Year 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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.095 MGD.

(From 1 Year After Permit Effective Date to 3 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	0.5	XXX	1.6

The proposed effluent limits for Outfall 001 are based on a design flow of 0.095 MGD.

(From Permit Effective Date to 3 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>	
Ammonia-Nitrogen	XXX	XXX	XXX	15.0	XXX	XXX
Nov 1 - Apr 30	XXX	XXX	XXX	5.0	XXX	10.0
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.095 MGD.

(From 3 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	0.02	XXX	0.06
Ammonia-Nitrogen	XXX	XXX	XXX	4.5	XXX	9.0
Nov 1 - Apr 30	XXX	XXX	XXX	1.5	XXX	3.0
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.095 MGD.

(From 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>	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.095 MGD.

(From 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>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of 0.095 MGD.

(From Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Instant. 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	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

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

- Solids Management
- Requirements for Total Residual Chlorine (TRC)
- TRC Effluent Limitations at Quantitation Limits
- Requirements for Ammonia-Nitrogen

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

PA0276693, Sewage, SIC Code 4952, **Janice Weninger**, 160 E. Moorestown Road, Wind Gap, PA 18091. Facility Name: Weninger SRSTP. This proposed facility is located in Bushkill Township, **Northampton County**.

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

The receiving stream, Unnamed Tributary of Bushkill Creek, is located in State Water Plan watershed 1-F and is classified for exceptional value waters, 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 0.0004 MGD.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.02
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	5.0	XXX	10.0

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

- TRC Effluent Limitations Lower than Quantitation Limits
- Ultraviolet (UV) Disinfection

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

PA0064343, Industrial, SIC Code 4941, **Pennsylvania American Water**, 1799 Jumper Road, Wilkes-Barre, PA 18702-8032. Facility Name: Stony Garden WTP. This existing facility is located in Hamilton Township, **Monroe 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, Ross Common Creek (HQ-CWF, MF designated use—EV, MF existing use), is located in State Water Plan watershed 2-B and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The existing use of the stream is classified as Exceptional Value and Migratory Fish. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.168 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.25	XXX	0.58
Total Suspended Solids	XXX	Report	XXX	30.0	60.0	60.0
Total Dissolved Solids	XXX	Report	XXX	1,000	2,000	2,500
Turbidity (NTU)	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	Report	XXX	Report	Report	XXX
Total Nitrogen	XXX	Report	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	Report	XXX	Report	Report	XXX
Total Phosphorus	XXX	Report	XXX	Report	Report	XXX
Aluminum, Total	XXX	Report	XXX	1.043	1.628	2.086
Iron, Total	XXX	Report	XXX	2.0	4.0	5.0
Manganese, Total	XXX	Report	XXX	1.0	2.0	5
Thallium, Total (ug/L)	XXX	Report	XXX	0.53	0.83	1.33
Zinc, Total (ug/L)	XXX	Report	XXX	Report	Report	XXX
Acrylamide (ug/L)	XXX	Report	XXX	Report	Report	XXX
Copper, Total (ug/L)	XXX	Report	XXX	14.8	23.1	36.9

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

- WQBELs Below Quantitation Limits
- Sedimentation Basin Cleaning

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

PA0096989, Sewage, SIC Code 4952, 6514, **Kuntz Assoc Inc.**, 4036 Route 217 Highway N, Blairsville, PA 15717-5608. Facility Name: Sylvan Acres MHP. This existing facility is located in Armstrong Township, **Indiana 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 is an Unnamed Tributary to Curry Run, located in State Water Plan watershed 17-E and classified for Cold Water 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 .025 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min	0.17	XXX	0.56
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (#/100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Oct 31	XXX	XXX	XXX	200	XXX	400
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	28.0
				14.0		
Nov 1 - Apr 30	XXX	XXX	XXX	5.0	XXX	10.0
May 1 - Oct 31	XXX	XXX	XXX	XXX	XXX	Report
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0221988, Sewage, SIC Code 4952, 8069, **North Mem Animal Hospital Inc.**, 143 State Route 18, New Wilmington, PA 16142-3713. Facility Name: North Mem Animal Hospital. This existing facility is located in Wilmington Township, **Lawrence County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0254053, Sewage, SIC Code 4952, **St Pauls Highfield Lutheran Church**, 1595 Dime Road, Vandergrift, PA 15690-6003. Facility Name: St Pauls Highfield Lutheran Church. This existing facility is located in Parks Township, **Armstrong County**.

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

The receiving stream(s), Carnahan Run (WWF), is located in State Water Plan watershed 18-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0009 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	0.0009	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Oct 1 - Apr 30				200 Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0265161, Sewage, SIC Code 4952, 8800, **John Schricker**, 286 Gravel Lick Road, Strattanville, PA 16258. Facility Name: John Schricker SRSTP. This existing facility is located in Millcreek Township, **Clarion County**.

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

The receiving stream is an unnamed tributary to Blyson Run, located in State Water Plan watershed 17-B and classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0265608, Sewage, SIC Code 4952, 8800, **Dale Hall**, 1242 Nebraska Road, Tionesta, PA 16353. Facility Name: Dale Hall SRSTP. This existing facility is located in Green Township, **Forest 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 is an unnamed tributary to Piney Run (CWF), located in State Water Plan watershed 16-F and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0265691, Sewage, SIC Code 4952, 8800, **Charles J Downing**, P.O. Box 558, North East, PA 16428-0558. Facility Name: Charles J Downing SRSTP. This existing facility is located in North East Township, **Erie County**.

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

The receiving stream is an Unnamed tributary to Lake Erie, located in State Water Plan watershed 15-A and classified for 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 .0005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0271381, Sewage, SIC Code 8800, **Christina Young**, 89 Patterson School Road, Grove City, PA 16127-4931. Facility Name: Christina Young SRSTP. This existing facility is located in Pine Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary of Wolf 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 .0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Daily Min	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0293041, Sewage, SIC Code 8800, **Amos J Yoder**, 195 Bend Road, New Wilmington, PA 16142. Facility Name: Amos J Yoder SRSTP. This proposed facility is located in Wilmington Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary to West Branch Little Neshannock Creek (TSF), is located in State Water Plan watershed 20-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0293083, Sewage, SIC Code 8800, **Derek Bone**, 4244 Normandy Rue, Erie, PA 16506-3632. Facility Name: Derek Bone SRSTP. This proposed facility is located at 6311-6325 Rick Road, McKean, PA 16426 located in McKean Township, **Erie County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PAS238302, Storm Water, SIC Code 2813, **Matheson Tri Gas Inc.**, 1700 Scepter Road, Waverly, TN 37185-3253. Facility Name: Matheson Tri Gas St. Marys. This existing facility is located in Saint Marys City, **Elk 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 West Creek, is located in State Water Plan watershed 8-A 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 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	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
- Stormwater Monitoring Practices
- Routine Inspections
- PPC Plan
- Other Requirements

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0261416, Sewage, SIC Code 4952, **Reading Township Municipal Authority, Adams County**, 843 W Middle Street, Hanover, PA 17331-5011. Facility Name: Reading Township Lauchmans Bottom STP. This existing facility is located in Reading Township, **Adams 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), Conewago Creek (WWF), is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Weekly Average	Daily Minimum	Average Monthly	Weekly Average	Instant. Maximum
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	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	8.0	13.0	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Raw Sewage Influent						
Total Suspended Solids	10.0	15.0	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
May 1 - Sep 30				2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean		
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	4.0	XXX	XXX	13.0	XXX	26.0
May 1 - Oct 31						
Nov 1 - Apr 30	13.0	XXX	XXX	39.0	XXX	78.0
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

Effluent Limitations

Parameter	Mass Units (lbs)		Concentrations (mg/L)		
	Monthly	Annual	Monthly Average	Maximum	Instant. Maximum
Ammonia—N	Report	Report	Report	XXX	XXX
Kjeldahl—N	Report	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	Report	XXX	XXX
Total Phosphorus	Report	Report	Report	XXX	XXX
Net Total N	Report	0.0	XXX	XXX	XXX
Net Total P	Report	0.0	XXX	XXX	XXX

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

- Chesapeake Bay nutrients requirements
- Solids management for non-lagoon system
- Batch discharge condition for SBR system
- Hauled in waste restriction

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

The EPA Waiver is in effect.

Southcentral Regional Office

PAS203505, Storm Water, SIC Code 3479, **Lane Enterprises Inc.**, 3905 Hartzdale Drive, Suite 514, Camp Hill, PA 17011-7837. Facility Name: Lane Enterprises Inc. This existing facility is located in Middlesex Township, **Cumberland County**.

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

The receiving stream(s), Unnamed Tributary to Letort Spring Run (HQ-CWF, MF), is located in State Water Plan watershed 7-B and is classified for High Quality—Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 002:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

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

PA0021741 A-1, Sewage, SIC Code 4952, **Borough of Dublin**, 119 Maple Avenue, Dublin, PA 18917-2403. Facility Name: Dublin Borough STP. This existing facility is located in Bedminster Township, **Bucks County**.

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

The receiving stream(s), Deep Run (WWF, MF), is located in State Water Plan watershed 2-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .75 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Phosphorus	12.51	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of .75 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Phosphorus	6.2	XXX	XXX	1.0	XXX	2

The proposed effluent limits for Outfall 001 are based on a design flow of .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>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 6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.05

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Nov 1 - Apr 30	156.0	234.0	XXX	25.0	40.0	50
May 1 - Oct 31	125.0	187.5	XXX	20.0	30.0	40
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	187.6	281.4	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	24.4	XXX	XXX	3.9	XXX	7.8
May 1 - Oct 31	8.0	XXX	XXX	1.3	XXX	2.6
Copper, Total	XXX	XXX	XXX	0.017	0.026	0.034
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	Daily Max XXX	XXX

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0024121, Sewage, SIC Code 4941, 4952, **Aqua PA Wastewater Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Aqua PA Media STP. This existing facility is located in Upper Providence Township, **Delaware 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, Ridley Creek (TSF, MF), is located in State Water Plan watershed 3-G and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.3	XXX	1.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Nov 1 - Apr 30	375	600	XXX	25	40 Wkly Avg	50
May 1 - Oct 31	225	375	XXX	15	25 Wkly Avg	30
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	450	675	XXX	30	45 Wkly Avg	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
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		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	90	XXX	XXX	6.0	XXX	12
Nov 1 - Apr 30						
May 1 - Oct 31	30	XXX	XXX	2.0	XXX	4
Total Phosphorus	15	XXX	XXX	1.0	XXX	2
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Cyanide, Free	0.16	0.25	XXX	0.011	0.016	0.026

Daily Max

*Shall not exceed in more than 10% of samples.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
Total Dissolved Solids	15,012	30,024	XXX	1,000.0	2,000.0	2,500
	Avg Qrtly	Daily Max		Avg Qrtly		
Zinc, Total	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
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 an average stormwater flow—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on an average stormwater flow—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Operator Notification
- F. TMDL/WLA Analysis
- G. Fecal Coliform Reporting
- H. Solids Management
- I. WET Testing
- J. Stormwater Outfalls Requirement
- K. Site Specific Criteria Study

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.

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

Northeast Regional Office

Applicant: **Cedar Fair, LP; Dorney Park & Wildwater Kingdom**

Applicant Address: 3830 Dorney Park Road, Allentown, PA 18104-5803

Application Number: **PAD390009**

Application Type: Renewal

Municipality/County: South Whitehall Township, **Lehigh County**

Total Earth Disturbance Area (acres): 2.70 acres

Surface Waters Receiving Stormwater Discharges: Cedar Creek (HQ-CWF, MF)

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

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

Project Description: The project consists of the demolition of existing structures and pathways, and construction of a new attraction and associated structures in their place and in the location of a previously removed attraction. The site has previously been disturbed since the date of the park's original construction.

Special Conditions: No site-specific special conditions.

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

Northeast Regional Office

Applicant: **Wayne Highlands School District**

Applicant Address: 474 Grove Street, Honesdale, PA 18431-1047

Application Number: **PAD640038**

Application Type: New

Municipality/County: Honesdale Borough, **Wayne County**

Total Earth Disturbance Area (acres): 8.18 acres

Surface Waters Receiving Stormwater Discharges: UNT to Lackawaxen River (HQ-TSF, MF) and Lackawaxen River (HQ-TSF, MF)

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

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

Project Description: The project involves replacement of an existing multi-sport grass stadium field with synthetic turf as well as site access, infrastructure upgrades and construction stormwater BMPs.

Special Conditions: No site specific special conditions proposed.

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

Northcentral Regional Office

Applicant: **UGI Utilities, Inc.**

Applicant Address: 1 UGI Drive, Denver, PA 17517

Application Number: **PAD590014**

Application Type: New

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

Total Earth Disturbance Area (acres): 1.42 acres

Surface Waters Receiving Stormwater Discharges: Elk Run (CWF, MF, NTR)

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 proposes to install 8,921 linear feet of 4" and 2" HDPE gas main and associated gas service lines via HDD and direct burials to replace an existing gas main. The disturbance will be restored with permanent vegetation.

Special Conditions: N/A

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

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>
Groff's Pork and Beans Farm LLC 262 Pawling Road Lewisburg, PA 17837	Union County	0	643.61	Swine	NA	Renewal
Meadow Springs Farm— Jevin Kready 1113 North Colebrook Road Manheim, PA 17545	Lancaster County	107.8	383.55	Broilers/ Beef/ Goats	NA	Renewal
Chickies Creek Farm, LLC 2537 Risser Mill Road Mount Joy, PA 17552	Lancaster County	11.3	1,111.5	Layers	NA	Renewal
Brubaker Poultry Operation 788 Summer Mountain Rd Bernville, PA 19506	Berks County	57.1	258.43	Poultry/ Beef	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

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

Individuals wishing to comment on permit applications are invited to submit statements to the office listed before

the application within 30-days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (DEP) the exact basis of a comment and the relevant facts upon which it is based. A

public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified individual, as the

remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

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

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

Contact: Eric Supey, Environmental Program Manager, 570-826-2511.

Pocono Mountain School District, Primary Facility ID # **851827**, 208 Campus Drive, Swiftwater, PA 18370, Paradise Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013 on behalf of Pocono Mountain School District, P.O. Box 200, 135 Pocono Mountain School Road, Swiftwater, PA 18370, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated by a release of heating oil from an underground storage tank. The Notice of Intent to Remediate was published in *Pocono Record* on April 16, 2023. Application received: April 26, 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.

177 West Sun Hill Road, Primary Facility ID # **866104**, 177 West Sun Hill Road, Manheim, PA 17545, Penn Township, **Lancaster County**. Penn Environmental & Remediation, Inc., 400 Old Dublin Pike, Doylestown, PA 18901 on behalf of Miller Pipeline, 8850 Crawfordsville Road, Indianapolis, IN 46234, submitted a Notice of Intent to Remediate soil contaminated with No. 2 Fuel Oil. The site will be remediated to the Statewide Health Standard. Future use of the site will continue to be for residential purposes. The Notice of Intent to Remediate was published in *LNP Media Group, Inc.* on March 31, 2023. Application received: April 20, 2023.

U-Haul of Lebanon, Primary Facility ID # **866241**, 1435 Cumberland Street, Lebanon, PA 17042, City of Lebanon, **Lebanon County**. United Environmental Services, Inc., 1143 Long Run Road, Schuylkill Haven, PA 17972 on behalf of Amerco Real Estate Co., 2727 North Central Avenue, # 5N, Phoenix, AZ 85004, submitted a Notice of Intent to Remediate soil contaminated with leaded gasoline compounds. The site will be remediated to the Statewide Health Standard. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *Lebanon Daily News* on March 15, 2023. Application received: April 18, 2023.

U-Haul of Lebanon, Primary Facility ID # **866241**, 1435 Cumberland Street, Lebanon, PA 17042, City of Lebanon, **Lebanon County**. United Environmental Services, Inc., 1143 Long Run Road, Schuylkill Haven, PA 17972 on behalf of U-Haul Storage of Harrisburg, 914 Laurel Street, Lebanon, PA 17046, submitted a Notice of Intent to Remediate soil contaminated with leaded gaso-

line compounds. The site will be remediated to the Statewide Health Standard. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *Lebanon Daily News* on March 15, 2023. Application received: April 18, 2023.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

Individuals wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the DEP's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

ters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

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

Contact: Dave Balog, New Source Review Chief, 814-332-6328.

32-00449A: Gruppo EF Technologies USA, LLC, 12 East 10th Street, # 3R, New York, NY 10003, Center Township, **Indiana County**. Application received: May 19, 2022. Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue a Plan Approval to Gruppo EF Technologie USA, LLC for the construction of a proposed biomethane digester facility at their site. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. Plan Approval No. 32-00449A is for the construction of a new facility, which will anaerobically digest biomass farm waste to produce biogas which will be sold to pipeline. The proposed facility will consist of two (2) parallel anaerobic digesters, associated raw material and digestate storage tanks, biogas treatment unit, emergency flare, 550 kW natural gas-fired combined heat and power unit, and 5 MMBtu/hr natural gas-fired backup boiler. Based on the information provided by the applicant and DEP's own analysis, the proposed facility will have potential emissions of 13.01 tons of carbon monoxide, 3.39 tons of nitrogen oxides, 4.56 tons of volatile organic compounds (VOC), 15.59 tons of sulfur oxides, 0.63 ton of particulate matter, and 1.52 tons of total hazardous air pollutants (HAP) per year. The Plan Approval will contain testing, monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. The proposed combined heat and power unit will also be subject to the requirements of New Source Performance Standards, 40 CFR Part 60, Subpart JJJJ, for Stationary Spark Ignition Internal Combustion Engines. Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the following address. To make an appointment, contact Records Management at 814-332-6340. Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the following address. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval No. 32-00449A and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval. A public hearing may be

held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

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

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

21-05002C: Vitro Architectural Glass LLC (400 Park Dr, Carlisle, PA 17015-9271) for the installation of a Selective Non-Catalytic Reduction (SNCR) system for Glass Melting Furnace 1 (Source ID 101), and the incorporation of presumptive, and alternative RACT 3 requirements for various sources, at the facility located in South Middleton Township, **Cumberland County**.

In accordance with 25 Pa. Code §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO_x and VOCs for the 2015 ozone NAAQS), the Pennsylvania Department of Environmental Protection (Department, DEP) has made a preliminary determination to approve a RACT 3 plan for the previously mentioned facility.

The RACT 3 plan approval incorporates provisions and requirements for the control of emissions of nitrogen oxides (NO_x) and/or volatile organic compounds (VOCs). These provisions and requirements are intended to address the Commonwealth's RACT obligations under section 184 of the Clean Air Act for the 1997, 2008 and 2015 8-hour ozone National Ambient Air Quality Standards. The RACT 3 plan approval does not adopt any new regulations. If approved by the Department, this RACT 3 plan approval will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP). Requirements that are not part of the RACT 3 plan approval will be excluded from the SIP revision submittal.

The following is a summary of the RACT 3 plan approval requirements for this facility that are proposed to be submitted to the EPA as a revision to the Commonwealth's SIP:

I. The following requirements constitute a case-by-case NO_x RACT 3 determination for Furnaces 1 and 2:

(a) A glass furnace "Operating Day" is defined as any calendar day (i.e. period that begins at midnight local time and ends 24 hours later at midnight) in which glass is pulled from the furnace.

(b) A glass furnace "Non-Operating Day" is defined as any calendar day (i.e. period that begins at midnight local time and ends 24 hours later at midnight) in which glass is not pulled from the furnace.

(c) As of 1/1/23 for Furnace 2, and as of 8/3/24 for Furnace 1, the permittee shall comply with the following NO_x emission limitations:

(1) During any Operating Days, the glass furnaces shall comply with the presumptive RACT 3 NO_x emission

limitation of 7.0 pounds of NO_x per ton of glass pulled for flat glass furnaces based on a 30-day rolling average, pursuant to 25 Pa. Code § 129.112(i)(4).

(2) During any Non-Operating Days, the NO_x emissions for each glass furnace averaged over consecutive non-operating days may not exceed the amount calculated using the following equation: Pounds per day emission limit of NO_x = 7.0 pounds per ton of glass produced × Furnace permitted production capacity in tons of glass produced per day.

(d) The permittee shall keep the following records, which shall be retained by the permittee for a period of five (5) years and be made available to DEP upon request:

(1) CEMS data and calculations necessary to demonstrate compliance with the emission limitations previously listed.

(2) Documentation of all maintenance performed on control devices.

(3) All periods each control device was not operating while the associated furnace was operating, including:

(i) Start and end times of each period.

(ii) Explanation for the occurrence of each period.

(iii) Calculations or data of emissions which occurred during each period.

(e) Data or information required to determine compliance shall be recorded and maintained in a time frame consistent with the averaging period of the emissions limitation.

(f) Records, data, and calculations necessary to demonstrate compliance with the emission limitations above, shall be provided with the facility's annual emissions report required by Section B.

(g) As of 1/1/23 for Furnace 2, and as of 8/3/24 for Furnace 1, the permittee shall operate the glass furnace NO_x control systems whenever technologically feasible during non-operating days (as defined previously) to minimize emissions.

(h) The permittee shall install, maintain and operate the NO_x control devices in accordance with the manufacturer's specifications and with good operating practices.

II. Per 25 Pa. Code § 129.112(p), DEP hereby approves a RACT 3 alternative compliance schedule, and interim emission limitations for Furnace 1, as follows:

(a) By no later than 8/3/24, the permittee shall install and begin operating the necessary NO_x controls on Furnace 1 in order to ensure that during any Operating Days, Furnace 1 complies with the presumptive RACT 3 NO_x emission limitation of 7.0 pounds of NO_x per ton of glass pulled for flat glass furnaces based on a 30-day rolling average, pursuant to 25 Pa. Code § 129.112(i)(4).

(b) Until Furnace 1 NO_x controls are installed pursuant to II.(a), the permittee shall ensure that during any Operating Days, Furnace 1 complies with an interim RACT 3 NO_x emission limitation of 23.0 pounds of NO_x per ton of glass pulled for flat glass furnaces based on a 30-day rolling average.

(c) Until Furnace 1 NO_x controls are installed pursuant to II.(a), the permittee shall ensure that during any Non-Operating Days, Furnace 1 complies with an interim RACT 3 NO_x emission limitation calculated over consecutive non-operating days, not to exceed the amount allowable using the following equation: Pounds per day

emission limit of $\text{NO}_x = 23.0$ pounds per ton of glass produced \times Furnace permitted production capacity in tons of glass produced per day.

Public Comment Details:

A 30-day public comment period is provided for persons wishing to file a written protest, objection, comments or additional information, which they believe should be considered prior to the issuance of a permit. The written comments, information, protests or objections may be submitted to Tom Bianca, P.E., Environmental Engineering Manager, Air Quality Program, at 909 Elmerton Avenue, Harrisburg, PA 17110, or at tbianca@pa.gov on or before the closing date of this 30-day public comment period. The 30-day public comment period closes on June 12, 2023.

Each written submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT 3 plan approval, including the permit number, and a concise statement regarding the RACT 3 plan approval provision or requirement that the person is commenting on and the relevancy of the information or objections to issuance of the RACT 3 approval.

Public hearing. A public hearing will be held on June 13, 2023 at 10:00 AM at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, please contact Tom Bianca at 717-705-4863. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be the Friday before the hearing.

Oral testimony at the hearing will be limited to a maximum of 5 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, may submit a written statement and exhibits within 10 days thereafter to Thomas Bianca, at 909 Elmerton Avenue, Harrisburg, PA 17110, or at tbianca@pa.gov.

All pertinent documents are available electronically for public review and copies can be requested by contacting Tom Bianca at 717-705-4863 or at tbianca@pa.gov.

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

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

30-00258: ECC Windsor, Inc., 1919 14th Street, Suite 700, Boulder, CO 80203, Richhill Township, **Greene County**. Application received: March 15, 2023. In accordance with 25 Pa. Code § 127.465, synthetic minor operating permit modification for a mine methane flaring project consisting of two (2) John Zink Company, LLC ZTOF6X30 enclosed flares located in Richhill Township, Greene County at coordinates 39.8994276, -80.483075. The facility's potential emissions are estimated to be 13.2 TPY NO_x , 98.9 TPY CO, 2.8 TPY VOC, 4.4 TPY PM, and 34,947 TPY CO_2e . This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. The proposed modification is to change the flare minimum operating temperature resulting in an increase of CO emissions. The flares are limited to a heat input not to exceed 18.8 MMBtu/hr. Additional monitoring and recordkeeping requirements have been included in the proposed modification to the synthetic minor State-Only

Operating Permit. Those who wish to provide the Department with additional written information that they believe should be considered prior to the modification of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (30-00258) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit. A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address. All comments must be received prior to the close of business 30 days after the date of this publication. The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

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.

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

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

38-05011, Plain N Fancy Kitchens, Inc., 2550 Stiegel Pike, Schaefferstown, PA 17088, Heidelberg Township, **Lebanon County**. Application received: January 30, 2023. To issue a Title V Operating Permit for their wood kitchen cabinets manufacturing facility. Actual emissions from the facility in 2021 were reported to be 0.28 ton CO, 0.49 ton NO_x , 0.01 ton PM_{10} , 0.01 ton SO_x , 44.20 tons VOC and 10.74 tons of combined HAPs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52, 129.101–129.107 and 40 CFR 63 Subpart JJ—National Emission Standards for Wood Furniture Manufacturing Operations.

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

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

15-00008, Buckeye Terminals, LLC, 8 Malin Road, Malvern, PA 19355, East Whiteland Township, **Chester County**. Application received: May 16, 2022. This action is for the renewal of the Title V Permit. There are no new sources. Sources of emission at the facility are: Distillate/

Gasoline Loading Racks and a Vapor Recovery Unit which controls hydrocarbon vapors from the Loading Racks. The facility is a major source for Volatile Organic Compounds (VOC) and an area source for Hazardous Air Pollutant (HAP) emissions. The facility averaged 0.8615 ton of VOC per year of actual emissions over the last five years. The organic compound emissions are monitored via Continuous Emissions Monitoring Systems (CEMS). The facility is subject to 40 CFR Part 60 Subpart XX, Part 63 Subpart BBBBBB, and the regulations under the Pennsylvania Air Pollution Control Act. The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

OPERATING PERMITS

Notice of Intent to Issue Operating Permit(s) 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.

37-00121, Flowline Division Ezefflow USA, 1400 New Butler Road, New Castle, PA 16101, City of New Castle, **Lawrence County**. Application received: March 27, 2023. In accordance with 25 Pa. Code §§ 127.461 and 127.465, the Department intends to modify the State Only Operating Permit to address the reclassification of n-propyl bromide (nPB) as a Hazardous Air Pollutant (HAP) by the U.S. Environmental Protection Agency (U.S. EPA). The emissions from Source 107 (Batch Vapor Degreasing) remain the same and are as follows: HAP and VOC emissions are 5.38 TPY in any consecutive 12-month period. The permit includes monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

32-00448, Keyrock Energy LLC, Lowry Mine, P.O. Box 2223, Johnson City, TN 37605, Center Township, **Indiana County**. Application received: May 9, 2022. The Department intends to issue a new State Only Operating Permit for Keyrock Energy LLC for the abatement of methane emissions from the Lowry Mine. The facility is a Natural Minor. The primary sources at the facility consist of two John Zink enclosed coal mine methane flares rated at 30 MMBtu/hr and 20 MMBtu/hr. The potential emissions for this facility are estimated at 43.8 tpy CO, 32.8 tpy NO_x, and 4.1 tpy PM. The new permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

32-00451, Keyrock Energy LLC, Heilwood Mine, P.O. Box 2223, Johnson City, TN 37605, Cherryhill Township, **Indiana County**. Application received: May 27, 2022. The Department intends to issue a new State Only Operating Permit for Keyrock Energy LLC for the abatement of methane emissions from the Heilwood Mine. The facility is a Natural Minor. The primary sources at the facility consist of two John Zink enclosed coal mine methane flares rated at 30 MMBtu/hr and 22.9 MMBtu/hr.

The potential emissions for this facility are estimated at 37.4 tpy CO and 15.0 tpy NO_x. The new permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

OP22-000006, Simpson House Inc., 2101 Belmont Avenue, Philadelphia, PA 19131, City of Philadelphia, **Philadelphia County**. Application received: January 18, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Natural Minor Operating Permit (NMOP) for an establishment primarily engaged in a continuing care retirement community in the City of Philadelphia, Philadelphia County. The facility's significant stationary air emission sources include the following:

- one (1) 0.789 Million British Thermal Units per hour (MMBtu/hr) boiler firing natural gas (NG) and No. 2 oil;
- three (3) 2.887 MMBtu/hr boilers firing natural gas and No. 2 oil;
- one (1) 335 HP emergency generator firing diesel;
- one (1) 268 HP emergency generator firing diesel; and
- one (1) 375 HP combined heat and power (CHP) with 3-way catalyst firing NG.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed NMOP must submit the protest, comments, or public hearing request within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the NMOP or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Managements Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with "Simpson House Inc. OP22-000006" 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.

OP22-000010, Drexel University Queen Lane Campus, 2900 Queen Lane Avenue, Philadelphia, PA 19129, City of Philadelphia, **Philadelphia County**. Application received: February 7, 2022. The City of Philadelphia, Air Management Services (AMS) intends to issue a renewal Natural Minor Operating Permit (NMOP) for an establishment primarily engaged in operation of a university campus in the City of Philadelphia, Philadelphia County. The facility's significant stationary air emission sources include the following:

- three (3) 2.5 Million British Thermal Units per hour (MMBtu/hr) boilers firing natural gas (NG);
- two (2) 2.3 MMBtu/hr boiler firing NG and No. 2 oil;

- one (1) 2,168 horsepower (HP) emergency generator firing diesel;
- one (1) 268 HP emergency generator firing diesel; and
- one (1) 110 HP fire pump firing diesel.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Persons wishing to file protest, comments, or request a public hearing on the previously listed NMOP must submit the protest, comments, or public hearing request within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the NMOP or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Management Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to DPHAMS_Service_Requests@phila.gov with “Drexel University Queen Lane Campus OP22-000010” in the subject line. AMS suggests submitting any mailed correspondence also by e-mail. Permit copies and other supporting information are available by contacting the Source Registration Unit at 215-685-7572 or emailing a request to the previously listed email address with the subject line.

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

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

05-03020, Northern Bedford County School District, 152 NBC Drive, Loysburg, PA 16659-9549, South Woodbury Township, **Bedford County**. Application received: January 30, 2023. To issue a State-Only Operating Permit for the operation of boilers and emergency generator at the school. Potential emissions from the facility are estimated to be 21.75 tpy CO, 12.77 tpy NO_x, 8.25 tpy PM_{10/2.5}, 0.98 tpy SO_x, and 0.75 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions from 40 CFR 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources and 40 CFR 60, Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

29-03002, P&W Excavating Inc., 882 Pigeon Cove Rd., Warfordsburg, PA 17267, Bethel Township, **Fulton County**. Application received: December 28, 2022. To issue a State Only Operating Permit for a small batch asphalt plant. Potential air emissions from the facility are estimated to be 3.2 tpy NO_x, 35.0 tpy CO, 3.04 tpy PM₁₀, 0.40 tpy SO_x, 0.72 tpy VOCs, and 0.67 tpy HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for Federal 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and 25 Pa. Code § 129.63—Degreasing Operations.

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

38-03025, TE Connectivity, 3155 State Route 72, Jonestown, PA 17038, Union Township, **Lebanon County**. Application received: October 11, 2022. To issue a State Only Operating Permit for the electronic connector manufacturing plant. The TE Connectivity plant has a potential to emit 9.2 tons per year of nitrogen oxides, 7.7 tons per year of carbon monoxide, 1.8 tons per year of particulate matter, 9.5 tons per year of volatile organic compounds and less than a ton per year each of sulfur oxides and hazardous air pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63 Subpart ZZZZ and 40 CFR 63 Subpart WWWW.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or Local Government Agency or Authority to DEP at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform DEP on the basis of comment or objection and relevant facts upon which it is based.

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

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

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

Coal Applications

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

Table 1

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

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

Alkalinity must always be greater than acidity.

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

Contact: Bonnie Herbert, Clerical Assistant.

Mining Permit No. 63723707. NPDES No. PA0215520. Washington County Land Resources, Inc., 46226 National Road, St. Clairsville, OH 43950, Carroll and Nottingham Townships, **Washington County**. To revise the permit and related NPDES permit for a 2.7-mile treated mine water discharge pipeline to the Monongahela River and one (1) NPDES discharge point, affecting 13.3 proposed surface acres. Receiving stream(s): Monongahela River, classified for the following use: WWF. Application received: February 17, 2023. Accepted: April 20, 2023.

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

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

Mining Permit No. 56220101. NPDES No. PA0279846. Elk Resources, Inc., 30 Pounds Road, West Lebanon, PA 15783, Paint Township, **Somerset County**. Transfer of a bituminous surface mine from Berwind Coal Sales Company, 509 15th Street, Windber, PA 15963 affecting 101.2 acres. Receiving streams: Spruce Run flows to Shade Creek, classified for the following uses: CWF. Application received: April 14, 2023.

Mining Permit No. 56180102. NPDES No. PA0279641. Heritage Coal & Natural Res LLC, 550 Beagle Road, Rockwood, PA 15557, Stonycreek Township, **Somerset County**. Renewal of an NPDES permit and reclamation only of a bituminous surface and auger mine affecting 101.3 acres. Receiving streams: unnamed tributaries to Boone Run classified for the following use: CWF. Application received: April 26, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 54080201. Waste Management & Processors, Inc., P.O. Box K, Frackville, PA 17931, Mechanicsville, Port Carbon and Palo Alto Boroughs, **Schuylkill County**. Renewal of an anthracite coal refuse reprocessing and coal refuse disposal operation affecting 162.0 acres. Receiving stream: Schuylkill River, classified for the following uses: CWF, MF. Application received: April 20, 2023.

Noncoal Applications

Effluent Limits—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l

Alkalinity must always exceed acidity.

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

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

Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8200.

Mining Permit No. GP-105 8132502. Shawn M Odell, 50 Heavenly Lane, Wyalusing, PA 18853, Asylum Township, **Bradford County**. Request for renewal of coverage under GP-105 for a bluestone surface mining operation affecting 5 acres. Receiving stream(s): Bennetts Creek classified for the following use(s): WWF. Application received: April 17, 2023. Accepted: April 26, 2023.

Mining Permit No. 08120307. NPDES No. PA0269646. Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803-1649, Athens Township, **Bradford County**. Renewal of an NPDES permit associated with an existing

large noncoal (industrial minerals) mining site affecting 77.0 acres. Receiving stream(s): Unnamed tributary to Buck Creek classified for the following use(s): WWF. Application received: April 24, 2023. Accepted: April 26, 2023.

Mining Permit No. 17062802. NPDES No. PA0269956. Russell Stone Products, Inc., 2640 Greenville Pike, Grampian, PA 16838, Pike Township, **Clearfield County**. Transfer of an existing NPDES permit and small noncoal permit affecting 5.0 acres. Transfer of permit from Cynthia E. Russell. Receiving stream(s): Roaring Run, tributary to West Branch Susquehanna classified for the following use(s): HQ-CWF. Application received: April 28, 2023. Accepted: May 1, 2023.

Mining Permit No. 17022801. NPDES GP-104 No. PAM223005. Russell Stone Products, Inc., 2640 Greenville Pike, Grampian, PA 16838, Pike Township, **Clearfield County**. Application for new coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) and transfer of an existing small noncoal permit affecting 5 acres. Transfer of permit from Cynthia E. Russell. Receiving stream(s): Anderson Creek, tributary to West Branch Susquehanna River classified for the following use(s): CWF. Application received: April 28, 2023. Accepted: May 1, 2023.

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

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 58230301. Three Lakes Stone, LLC, 405 TR Williams Road, Clifford Township, PA 18470, New Milford Township, **Susquehanna County**. Commencement, operation and restoration of a quarry operation affecting 44.1 acres. Receiving stream: Martins Creek, classified for the following uses: CWF, MF. Application received: April 10, 2023.

Mining Permit No. 66030801. Al Beebe, 184 Tunnel Hill Road, Factoryville, PA 18419, Tunkhannock Township, **Wyoming County**. Stage I & II bond release of a quarry operation affecting 1.0 acre on property owned by Al Beebe. Application received: April 21, 2023.

Mining Permit No. 58132504. Meshoppen Stone, Inc., P.O. Box 127, Meshoppen, PA 18630, Auburn Township, **Susquehanna County**. Stage I & II bond release of a quarry operation affecting 7.0 acres on property owned by David and Joann Wright. Application received: April 26, 2023.

Mining Permit No. 45950302. NPDES Permit No. PA0613037. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474, Tunkhannock Township, **Monroe County**. Correction to a quarry operation to mine to 1,600 feet MSL affecting 116.46 acres and to delete NPDES Point 004 and update Point 002. Receiving streams: UNT to Trout Creek, classified for the following uses: EV, MF and UNT to Davey Run, classified for the following uses: HQ—CWF, MF. Application received: April 17, 2023.

Mining Permit No. 48980301. NPDES Permit No. PA0223875. Chrin Brothers, Inc., 1225 Industrial Drive, Easton, PA 18042, Williams Township, **Northampton County**. Renew NPDES Permit on a quarry operation affecting 36.8 acres. Receiving stream: UNT to Lehigh River, classified for the following uses: CWF, MF. Application received: April 26, 2023.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l

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

Alkalinity must always be greater than acidity.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

Noncoal NPDES Draft Permits

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

Contact: RA-EPPottsvilleDMO@pa.gov.

NPDES Permit No. PA0226351. Mining Permit No. 35212501. Williams Garden Center, Inc., 516 Drinker Turnpike, Covington Township, PA 18424, Covington Township, **Lackawanna County**. New NPDES permit affecting 11.40 acres. Receiving stream: Emerson Run Watershed/Roaring Brook Creek Watershed, classified for the following use: HQ-CWF. Non-Discharging Best Management Practices will be in effect. Application received: January 26, 2023.

NPDES Permit No. PA0044555. Mining Permit No. 7774SM1. New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, Oley Township, **Berks County**. Renewal of NPDES Permit affecting 675.0 acres. Receiving stream: UNT to Limekiln Creek, classified for the following uses: WWF, MF. Application received: November 16, 2022.

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

The following treated wastewater outfalls discharge to UNT to Limekiln Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	existing	TFO	1.4 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		1.4		
Oil and Grease (mg/L)			Monitor And Report	

ⁱThis Parameter is applicable at all times.

NPDES Permit No. PA0593885. Mining Permit No. 8275SM2. New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, Earl and Ephrata Townships, **Lancaster County**. Renew NPDES Permit affecting 261.0 acres. Receiving streams: UNT to Conestoga River and Conestoga River, classified for the following uses: WWF, MF. Application received: June 27, 2022.

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

The following treated wastewater outfalls discharge to: UNT to Conestoga River and Conestoga River:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	existing	TFO	3.5 MGD
002	existing	TFO	4.6 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD) 001		3.5	3.9	
Discharge (MGD) 002		4.6	5.1	
Oil and Grease (mg/L)			Monitor And Report	

ⁱThis Parameter is applicable at all times

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

E5829223-001. Keystone Clearwater Solutions LLC, 34 Northeast Dr, Hershey, PA 17033, Springville Township, **Susquehanna County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 26, 2023.

To construct, operate, and maintain:

1) a 16-inch temporary freshwater aerial pipeline and temporary bridge crossing impacting 105 lineal feet of a tributary to Meshoppen Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41.705830°, Longitude: -75.860307°),

2) a 16-inch temporary freshwater aerial pipeline and temporary bridge crossing impacting 119 lineal feet of a tributary to Meshoppen Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41.706089°, Longitude: -75.865686°),

3) a 16-inch temporary freshwater aerial pipeline and temporary mat crossing impacting 6,534 square feet (0.15 acre) of PEM wetlands (Springville, PA Quadrangle; Latitude: 41.699375°, Longitude: -75.883635°),

4) a 16-inch temporary freshwater aerial pipeline and temporary bridge crossing impacting 101 lineal feet of Meshoppen Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41.699437°, Longitude: -75.883977°),

5) a 16-inch temporary freshwater aerial pipeline and temporary mat crossing impacting 3,049 square feet (0.07 acre) of PEM wetlands (Springville, PA Quadrangle; Latitude: 41.699467°, Longitude: -75.884143°).

The Brooks Impoundment TWL Interconnection project consists of a single, approximate 2.8-mile long, 16-inch diameter HDPE or lay-flat overland, temporary freshwater pipeline in Springville Township, Susquehanna County. The project will result in 325 lineal feet of temporary stream impacts and 9,583 square feet (0.22 acre) of PEM wetland impact for the purpose of providing water for natural gas well development.

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

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

E4104223-003. U.S. Fish and Wildlife Service, 110 Radnor Road, Suite 101, State College, PA 16801, Upper Fairfield Township and Eldred Township, **Lycoming County**. U.S. Army Corps of Engineers Baltimore District. Application received: April 7, 2023.

Loyalsock Creek flows south along SR 87 through Montoursville to its confluence with the West Branch of the Susquehanna River. The creek makes a button-hook bend to the west across from the Loyalsock Valley Elementary School. This meander is immediately upstream of the Lycoming College Biology Field Station (LBFS), established in 2017 with the purchase of a 116-acre farm property along PA Route 87 in Upper Fairfield Township between Horn Road and Keebler Farm Road. The farm consists of two houses, a barn, several outbuildings, agricultural fields, and riparian/upland forests. A temporary canvas field monitoring station has also been added to the property. The LBFS is used by Lycoming College's biology department for courses in aquatic biology, ecology, plant science, vertebrate and invertebrate zoology, and environmental biology. However, since acquiring this property, flooding, nutrient/sediment loading, and streambank degradation has intensified. The meander of Loyalsock Creek just upstream of the LBFS is unstable, with several different alignments visible in the historic aerial photographs (see enclosure). Most of the alterations were in the channel path before it reaches the bend at the Lycoming College facility. The recent development of a channel avulsion bisecting the LBFS has escalated the erosion and sediment and nutrient input to the river system that includes the West Branch of the Susquehanna River and ultimately the Chesapeake Bay Watershed. Currently the flow in Loyalsock Creek is split between the original channel alignment and the newly formed channel avulsion. Left unaddressed, Loyalsock Creek could, in another major flood, make the channel avulsion the primary channel, abandoning roughly 4,250 ft of original channel. LBFS is proposing to be proactive in delivering solutions that restore and stabilize the degraded streambanks, treat runoff, and reduce nutrient and sediment loading. Specifically, the CAST model shows the Loyalsock Creek Restoration Project will reduce sediment input to the stream system by 276 tons/yr, accompanied by a nutrient reduction of 167 lbs/yr of nitrogen and 151 lbs/yr of phosphorus. In addition to the reduction of sediment and nutrients input into the stream

system, the Loyalsock Creek Restoration Project will implement bank stabilization measures to reduce runoff volumes, increase infiltration, and improve water quality. The project will contribute to the implementation of the Countywide Action Plan as part of Pennsylvania's Phase 3 WIP. The project will also restore the natural floodplain to further improve water quality and wildlife habitat. The project proposes to install a bench that matches the existing banks on either side of the entrance of the channel avulsion, essentially shutting off stream flow to the avulsion channel under normal conditions. The bench will be constructed along the river left bank up to the existing bank elevation on either side of the channel avulsion. The bench will be constructed of material aggraded on the inside of the button-hook meander and fronted with an R-5 rock toe. This bench will be stabilized with the installation of hybrid log vanes along the bench and along the river left banks upstream of the bench. In anticipation of high flows that may overtop the banks and installed bench, several watershed protection BMPs will be installed along the avulsion channel to manage flood flows and minimize the erosion and sediment input during high flow events. The BMPs include the installation of hybrid log vanes on the outside of bends, log wall sills to prevent down-cutting of the banks and the formation of secondary flow paths. Channel blocks will be installed in potential avulsion channels to promote more flow over the flood plain, thus reducing the erosive energy of the flood waters. Log cribbing will be installed upstream of existing structures to route flow around the structures and minimize damage to the structures. A minimum of a 30 to 50-foot buffer will be established at the end of the project to reduce nutrient and sediment loading. The total linear feet of the channel avulsion that will be converted to flood plain is approximately 2,225 feet. The original channel length that will be preserved as the primary channel is 4,250 ft. Latitude: 41.3119°, Longitude: 76.9131°.

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

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

E4002123-004. PA Department of Transportation, Eng District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Ross Township, **Luzerne County.** U.S. Army Corps of Engineers Baltimore District. Application received: March 3, 2023.

To authorize the following water obstructions and encroachments associated with the SR 4024 Section 350 Project: 1. The removal of the existing structure and to construct and maintain a 40-foot wide pre-cast box culvert and to construct and maintain appurtenant structure features. The structure will carry SR 4024 across Laurel Run (HQ-CWF, MF) and have a 10-foot normal clear span and a 5-foot minimum underclearance. (JPA 1); 2. Approximately 0.01 acre of PEM wetland will be permanently impacted by the placement of riprap for the proposed brige construction; 3. The construction of a rock-lined outfall channel in the floodway of Laurel Run (JPA 5); 4. The construction of a grass-lined outfall channel in the floodway of Laurel Run. (JPA 6). The project is located along SR 4024 Section 350 Segment 0170, Offset 0000, approximately 0.25 mile west of the SR 4024/Dobson Road intersection (Sweet Valley, PA Quadrangle Latitude: 41.291276°, Longitude: -76.163887°).

DAM SAFETY

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

Contact: Brandon Frey, Civil Engineer Hydraulic, 717-772-1680.

D63-154. Frank Bove, 181 Sugar Run Road, Eighty Four, PA 15330, Somerset Township, **Washington County.** To modify, operate and maintain the Bove Dam across a tributary to Mingo Creek (HQ-TSF) impacting 0.09 acre of wetlands (PEM) and 23 feet of stream for the purpose of complying with Department Regulations. Modifications include new conduit pipes through the dam and new intake towers, Latitude: 40° 12' 22", Longitude: -80° 05' 42". Application received: July 18, 2022.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the "Final Actions Report" on DEP's website at www.dep.pa.gov/CWPublicNotice.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Action(s) on NPDES and QM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0291692	CAFO Individual NPDES Permit	Issued	Hope Valley Dairy LLC 40 Mount Hope Road Quarryville, PA 17566-9255	East Drumore Township Lancaster County	SCRO
PA640001D	Chapter 102 Individual NPDES Permit	Issued	Ivashkova Nataliya 1237 Creamton Drive Honesdale, PA 18431	Mount Pleasant Township Wayne County	NERO
PAD090088	Chapter 102 Individual NPDES Permit	Issued	NP Falls Township Ind LLC 4805 Montgomery Road Cincinnati, OH 45212-2198	Falls Township Bucks County	SERO
PAD200007	Chapter 102 Individual NPDES Permit	Issued	Conneaut Lake Properties LLC 10431 Perry Highway Wexford, PA 15090	Sadsbury Township Crawford County	NWRO
PAD260021	Chapter 102 Individual NPDES Permit	Issued	Westmoreland County Municipal Authority P.O. Box 730 Greensburg, PA 15601-0730	Dunbar Township Fayette County	SWRO

NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD390054	Chapter 102 Individual NPDES Permit	Issued	Forestar 181 Harry S Truman Parkway Annapolis, MD 21401-7574	Lower Macungie Township Lehigh County	NERO
0213823	Joint DEP/PFBC Pesticides Permit	Issued	Christ Church Grove Farm 249 Duff Road Sewickley, PA 15143-9552	Ohio Township Allegheny County	SWRO
0523801	Joint DEP/PFBC Pesticides Permit	Issued	Bedford Cty Sportsmens Club Inc. 210 Fresno Road Bedford, PA 15522-5159	Colerain Township Bedford County	SCRO
0913811	Joint DEP/PFBC Pesticides Permit	Issued	Southampton Summer Day Camp Inc. 1459 2nd Street Pike Southampton, PA 18966-3930	Upper Southampton Township Bucks County	SERO
0913826	Joint DEP/PFBC Pesticides Permit	Issued	Heinz Wearn and Lennon Mary P.O. Box 97 Pipersville, PA 18947-0097	Bedminster Township Bucks County	SERO
0913831	Joint DEP/PFBC Pesticides Permit	Issued	The McKee Group 1490 Durham Road New Hope, PA 18938-5437	Buckingham Township Bucks County	SERO
0913876	Joint DEP/PFBC Pesticides Permit	Issued	Wagner Larry 227 E Dark Hollow Road Pipersville, PA 18947-9319	Tinicum Township Bucks County	SERO
0913895	Joint DEP/PFBC Pesticides Permit	Issued	River Crossing HOA 43 Woodside Lane New Hope, PA 18938-9281	Upper Makefield Township Bucks County	SERO
0913997	Joint DEP/PFBC Pesticides Permit	Issued	Sweet Briar Village Condo Assoc 975 Easton Road Suite 102 Warrington, PA 18976	Warrington Township Bucks County	SERO
0923801	Joint DEP/PFBC Pesticides Permit	Issued	Dimino Joe 6715 Paxson Road New Hope, PA 18938-9659	Solebury Township Bucks County	SERO
1023809	Joint DEP/PFBC Pesticides Permit	Issued	Erwin Schramm 163 Schramm Lane Butler, PA 16002-0649	Penn Township Butler County	NWRO
1023810	Joint DEP/PFBC Pesticides Permit	Issued	Melissa Allen 1274 W Liberty Road Slippery Rock, PA 16057-4322	Worth Township Butler County	NWRO
1023812	Joint DEP/PFBC Pesticides Permit	Issued	Lynn Heichel 219 Kelly Road Slippery Rock, PA 16057-4213	Worth Township Butler County	NWRO
2313832	Joint DEP/PFBC Pesticides Permit	Issued	Upper Chichester Township Delaware County P.O. Box 2187 Upper Chichester, PA 19061	Upper Chichester Township Delaware County	SERO
2313837	Joint DEP/PFBC Pesticides Permit	Issued	Liberty Electric Power LLC 1000 Industrial Highway Eddystone, PA 19022-1529	Eddystone Borough Delaware County	SERO
3822803	Joint DEP/PFBC Pesticides Permit	Issued	Kittatinny Hunting & Fishing Club 444 Yeagley Road Myerstown, PA 17067-1785	Jackson Township Lebanon County	SCRO
4322801	Joint DEP/PFBC Pesticides Permit	Issued	Carl Randall 1250 North Road Sandy Lake, PA 16145-4910	French Creek Township Mercer County	NWRO
4323803	Joint DEP/PFBC Pesticides Permit	Issued	Alessa Stover 5886 Virginia Road Hermitage, PA 16148-9143	Hermitage City Mercer County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4613829	Joint DEP/PFBC Pesticides Permit	Issued	HPCA 950 Town Center Drive Suite B25 Langhorne, PA 19047-1866	Lower Moreland Township Montgomery County	SERO
3523403	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Scranton City Lackawanna County	NERO
PA0000906	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Westinghouse Electric Co. LLC P.O. Box 158 Waltz Mill Facility Madison, PA 15663-0158	Sewickley Township Westmoreland County	SWRO
PA0005622	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Bessemer & Lake Erie RR Co. 85 Ohl Street Greenville, PA 16125-2350	Hempfield Township Mercer County	NWRO
PA0219312	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Apollo Resources LLC 150 North Avenue P.O. Box 235 Yatesboro, PA 16263	Mount Pleasant Township Westmoreland County	SWRO
PA0033448	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Pennwood Estates MHC LLC 4510 Bath Pike Suite 200 Bethlehem, PA 18017	Lackawannock Township Mercer County	NWRO
PA0096334	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Clelian Hts School For Exceptional Children 135 Clelian Heights Lane Greensburg, PA 15601-6665	Hempfield Township Westmoreland County	SWRO
PA0113727	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Country Place MHC P.O. Box 275 Lake Hiawatha, NJ 07034-0275	Sandy Township Clearfield County	NCRO
PA0216216	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Burgettstown Smith Township Joint Sewer Authority P.O. Box 389 377 Joffre Bulger Road Burgettstown, PA 15021-0389	Smith Township Washington County	SWRO
PA0223042	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Farmington Township Clarion County P.O. Box 148 32691 Route 66 Leeper, PA 16233-0148	Farmington Township Clarion County	NWRO
0223203	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Duquesne Light Co. 2825 New Beaver Avenue Pittsburgh, PA 15233	Springdale Township Allegheny County	SWRO
0603412	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Caernarvon Township Municipal Authority Berks County 601 Hemlock Road P.O. Box 291 Morgantown, PA 19543-0291	Caernarvon Township Berks County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1788403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Country Place MHC P.O. Box 275 Lake Hiawatha, NJ 07034-0275	Sandy Township Clearfield County	NCRO
1793411	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Country Place MHC P.O. Box 275 Lake Hiawatha, NJ 07034-0275	Sandy Township Clearfield County	NCRO
4503401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Barley Creek Brewing Co. Sullivan Trail Road and Camelback Road Tannersville, PA 18372	Pocono Township Monroe County	NERO
NOEXNW080	No Exposure Certification	Issued	Acutec Precision Aerospace Inc. 13555 Broadway Meadville, PA 16335-8307	Vernon Township Crawford County	NWRO
NOEXNW182	No Exposure Certification	Issued	Acutec Precision Aerospace Inc. 13555 Broadway Meadville, PA 16335-8307	Hayfield Township Crawford County	NWRO
NOEXSC396	No Exposure Certification	Denied	Geodis Logistics LLC 7101 Executive Center Drive Brentwood, TN 37027-5236	Middlesex Township Cumberland County	SCRO
PAG032231	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cargill Meat Solutions 65 Green Mountain Road Gargill Hazleton, PA 18202-9224	East Union Township Schuylkill County	NERO
PAG033672	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ward Trucking LLC P.O. Box 1553 Altoona, PA 16603-1553	Conewago Township York County	SCRO
PAG036266	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	ATI Flat Rolled Products Holdings LLC 100 River Road Brackenridge, PA 15014-1537	Derry Township Westmoreland County	SWRO
PAG036339	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	USA Valley Facility Inc. 6015 Pleasant Valley Road Irwin, PA 15642	Penn Township Westmoreland County	SWRO
PAG036414	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	PA American Water Co. 560 Horning Road Bethel Park, PA 15102-3720	Bethel Park Borough Allegheny County	SWRO
PAG123762	PAG-12 NPDES General Permit for CAFOs	Issued	Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325-8367	Tyrone Township Adams County	SCRO
PAG133506	PAG-13 NPDES General Permit for MS4s	Waived	Wernersville Borough Berks County 100 N Reber Street P.O. Box 167 Wernersville, PA 19565-2131	Wernersville Borough Berks County	SCRO
PAG133631	PAG-13 NPDES General Permit for MS4s	Waived	Juniata Township Blair County 387 Rocky Ridge Lane Duncansville, PA 16635-4006	Juniata Township Blair County	SCRO
1023402	Pump Stations Individual WQM Permit	Issued	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001-3256	Butler Township Butler County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1023403	Pump Stations Individual WQM Permit	Issued	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001-3256	Butler Township Butler County	NWRO
1023404	Pump Stations Individual WQM Permit	Issued	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001-3256	Butler Township Butler County	NWRO
PA0232831	Single Residence STP Individual NPDES Permit	Issued	South Creek Township Bradford County P.O. Box 60 Gillett, PA 16925-0060	South Creek Township Bradford County	NCRO
PA0252778	Single Residence STP Individual NPDES Permit	Issued	Jenneice L and Thomas W Haddon 5821 Somerset Pike Boswell, PA 15531-1805	Jenner Township Somerset County	SWRO
PA0264636	Single Residence STP Individual NPDES Permit	Issued	Hughes Gerald 312 Steiner Bridge Road Valencia, PA 16059-2934	Middlesex Township Butler County	NWRO
PA0292907	Single Residence STP Individual NPDES Permit	Issued	Hunter Richard 7269 Sterrettania Road Fairview, PA 16415-2812	Fairview Township Erie County	NWRO
PA0292915	Single Residence STP Individual NPDES Permit	Issued	Joseph and Mildred Farrell 10255 Silverthorn Road Edinboro, PA 16412-9713	Franklin Township Erie County	NWRO
PA0292923	Single Residence STP Individual NPDES Permit	Issued	Schwanbeck Laura 12831 Wheeler Place Santa Ana, CA 92705-1130	Hermitage City Mercer County	NWRO
1016406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hughes Gerald 312 Steiner Bridge Road Valencia, PA 16059-2934	Middlesex Township Butler County	NWRO
2523403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hunter Richard 7269 Sterrettania Road Fairview, PA 16415-2812	Fairview Township Erie County	NWRO
2523404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Joseph and Mildred Farrell 10255 Silverthorn Road Edinboro, PA 16412-9713	Franklin Township Erie County	NWRO
4323404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Schwanbeck Laura 12831 Wheeler Place Santa Ana, CA 92705-1130	Hermitage City Mercer County	NWRO
3622410	Small Flow Treatment Facility Individual WQM Permit	Issued	Denver Cold Storage Inc. 555 Sandy Hill Road Denver, PA 17517-9453	West Cocalico Township Lancaster County	SCRO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC400077	PAG-02 General Permit	Issued	Double U Developers Joseph Usefara 68 Pettibone St. Swoyersville, PA 18704	Pringle Borough Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 ra-epww-nero@pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090209	PAG-02 General Permit	Issued	Toll PA, XI, L.P. 1140 Virginia Avenue Fort Washington, PA 19034-3204	Buckingham Township Bucks County	Bucks County Conservation District 1456 Ferry Road Suite 704 Doylestown, PA 18901-5550 215-345-7577 x110 ra-epnpdes_sero@pa.gov
PAC090525	PAG-02 General Permit	Issued	Foxlane Homes at Holly Ridge, LLC 500 Office Center Drive Suite 200 Fort Washington, PA 19034-3223	Plumstead Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 ra-epnpdes_sero@pa.gov
PAC150107	PAG-02 General Permit	Issued	420 Clovermill, LLC 27 Tyler Lane Villanova, PA 19085	West Whiteland Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 ra-epnpdes_sero@pa.gov
PAC150079	PAG-02 General Permit	Issued	Northridge 214 Kirkbrae Road Kennett Square, PA 19348	East Mahoning Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 ra-epnpdes_sero@pa.gov
PAC150326	PAG-02 General Permit	Issued	Kennett Township 801 Burrows Run Road Chadds Ford, PA 19317	Kennett Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 ra-epnpdes_sero@pa.gov
PAC150333	PAG-02 General Permit	Issued	West Whiteland Township 101 Commerce Drive Exton, PA 19341	West Whiteland Township Chester County	Chester County Conservation District 674 Unionville Road Suite 105 Kennett Square, PA 19348 610-455-1360 ra-epnpdes_sero@pa.gov
PAC400263	PAG-02 General Permit	Issued	PA Fish & Boat Commission Shawn Wheeler 595 E. Rolling Ridge Dr. Bellefonte, PA 16823	Ross Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 ra-epww-nero@pa.gov
PAC230250	PAG-02 General Permit	Issued	William Mack 209 Robinhood Lane Aston, PA 19014	Aston Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 ra-epnpdes_sero@pa.gov

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC230261	PAG-02 General Permit	Issued	McDonald's USA, LLC 6903 Rockledge Drive Suite 1100 Bethesda, MD 20817	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
PAC360388A-1	PAG-02 General Permit	Issued	Delmar Martin 427 Orchard Lane Mohnton, PA 19540	Brecknock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360226A-1	PAG-02 General Permit	Issued	515 North Reading Road LLC 300 Chestnut Street Suite B1 Ephrata, PA 17522	Ephrata Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC100292	PAG-02 General Permit	Issued	Avas Enterprises LLC 276 Kaufman Road Gibsonia, PA 15044	Jefferson Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC360768	PAG-02 General Permit	Issued	Christian King 288 South Groffdale Road Gordonville, PA 17579	Strasburg Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PA320003C	PAG-02 General Permit	Issued	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701	Rayne Township Indiana County	Indiana County Conservation District 435 Hamill Road Indiana, PA 15701 724-471-4751
PAC360807	PAG-02 General Permit	Issued	Conestoga Christian Day School Assoc. 2760 Main Street Morgantown, PA 19543	Caernarvon Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC250181	PAG-02 General Permit	Issued	Maleno Land Development Co LLC 2340 West Grandview Boulevard Suite 1 Erie, PA 16506	Harborcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC670584	PAG-02 General Permit	Issued	PJ Land Development LLC 71 Carolyn Boulevard Farmingdale, NY 11735	Hanover Borough York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360817	PAG-02 General Permit	Issued	Student Lodging Inc 21 South George Street Student Memorial Ctr 102D Millersville, PA 17551	Millersville Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360270A-1	PAG-02 General Permit	Issued	Sharp Properties LP 1100 Sharp Avenue Ephrata, PA 17522	Clay Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360289A-1	PAG-02 General Permit	Issued	KSL Partners LLC 255 Butler Avenue Suite 203 Lancaster, PA 17601	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360844	PAG-02 General Permit	Issued	Wayne Petersheim P.O. Box 434 Gap, PA 17527	Colerain Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360769	PAG-02 General Permit	Issued	Pleasant View Retirement Community 544 North Penryn Road Manheim, PA 17545	Penn Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC360835	PAG-02 General Permit	Issued	RNJ Washes LLC 1331 Stony Lane Lititz, PA 17543	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520
PAC400083	PAG-02 General Permit	Issued	Mericle 1130 Oak, LLC Stephen Maakestad 100 Baltimore Drive Wilkes-Barre, PA 18702	Pittston Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 ra-epww-nero@pa.gov
PAC400260	PAG-02 General Permit	Issued	TKC-CCCV, LLC Wendy Fulton 4500 Cameron Valley Pkwy Charlotte, NC 28211-3591	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 ra-epww-nero@pa.gov
PAC390197	PAG-02 General Permit	Issued	Parkland School District 1210 Springhouse Road Allentown, PA 18104	South Whitehall Township Lehigh County	Lehigh Conservation District Lehigh County AG Center Suite 102 4184 Dorney Park Road Allentown, PA 18104-5728 610-391-9583 ra-epww-nero@pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC630282	PAG-02 General Permit	Issued	Sheet 435 Monmouth Drive Cranberry, PA 16066	Houston Borough Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098 SWRO
PAC390189	PAG-02 General Permit	Issued	Lincoln Elementary Academy Foundation, Inc. 1414 E. Cedar Crest St. Allentown, PA 18109	City of Allentown Lehigh County	Lehigh Conservation District Lehigh County AG Center Suite 102 4184 Dorney Park Road Allentown, PA 18104-5728 610-391-9583 ra-epww-nero@pa.gov

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

SAFE DRINKING WATER

Actions Taken Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

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

Operation Permit No. 3390073, Public Water Supply.

Applicant	Lehigh County Authority, LCA Central Division
Address	1053 Spruce Street P.O. Box 3348 Allentown, PA 18106-0348
Municipality	Upper Macungie Township
County	Lehigh County
Consulting Engineer	Mr. Jason G. Saylor, P.E. Utility Service Company, Inc. 1230 Peachtree Street NE Suite 1100-Promenade Atlanta, GA 30309
Application Received	December 16, 2022
Permit Issued	January 17, 2023
Description	Partial Operations Permit for LCA’s Reservoir No. 1 Rehabilitation Project (interior work only).

Operation Permit No. 3546495, Public Water Supply.

Applicant	Eagle Springs, Inc. (Par View Springs)
Address	88 West Donaldson Street Tremont, PA 17981
Municipality	Wayne Township
County	Schuylkill County
Consulting Engineer	Mr. Edward E. Davis, PE Miller Bros. Construction Inc. 950 Main St. Schuylkill Haven, PA 17972
Application Received	March 15, 2022 and July 8, 2022
Permit Issued	July 19, 2022
Description	Operations Permit for Silo 2 as well as a permit transfer request.

Operation Permit No. 3390032 , Public Water Supply.		Description	The application was for replacing the submersible well pump in-kind (35 gallons per minute (gpm)) with no increase in capacity; installing sedimentation filtration (ATS BF-E-2 Bag Filter (or equal) rated at 100 gpm); replacing the water treatment facilities in-kind for disinfection (with 20 minutes of effective contact time (CT)) and corrosion control treatment (CCT) (pH adjustment via 25 or 50% caustic soda) per the Department's Lead and Copper Rule (LCR); installing two (2) chlorine contact tanks (1,250 gallons each with a minimum volume of 2,330 gallons) plumbed in the bottom out the top for 20 minutes of effective contact time; two (2) finished water storage tanks (1,250 gallons each); a 10 HP triplex booster pump system (100 gpm at 90 psi) with variable frequency drive (VFD); and a 44-gallon hydro-pneumatic tank.
Applicant	Emmaus Borough		
Address	38 South 4th Street Emmaus, PA 18049		
Municipality	Emmaus Borough		
County	Lehigh County		
Application Received	March 31, 2022		
Permit Issued	November 28, 2022		
Description	Designation of water quality parameters.		
Operation Permit No. 2350056 , Public Water Supply.			
Applicant	GSP Management Company (Pocono Manor MHP)		
Address	P.O. Box 677 Morgantown, PA 19543		
Municipality	Clifton Township		
County	Lackawanna County		
Consulting Engineer	Mr. James A. Cieri, Sr., P.E. James A. Cieri—Professional Engineer, LLC 914 Mountain Road Harrisburg, PA 17112		
Application Received	July 12, 2022		
Permit Issued	April 10, 2023		
Description	Operations Permit for the revision of the 4-Log Demonstration Study for their proposed combined Well No. 1 and 2 facility; revision of the 4-Log Demonstration Study for their new Well No. 3 facility; new transmission main piping; and the construction of a new well station for Well Nos. 1 and 2; and the construction of a new well station for Well No. 3. Replacement of the submersible well pump for Well No. 3 (no increase in capacity) is also included in this operations permit review.		
Construction Permit No. 3921510 , Major Amendment, Public Water Supply.			
Applicant	Northwestern Lehigh School District, Northwestern Lehigh Middle School		
Address	6636 Northwest Rd. New Tripoli, PA 18066-2038		
Municipality	Heidelberg Township		
County	Lehigh County		
Consulting Engineer	Mr. Charles Myers, P.E. Operations Manager, Municipal; Barry Isett & Associates, Inc. 85 S Rt 100 Allentown, PA 18106		
Application Received	October 13, 2022		
Permit Issued	December 27, 2022		
			<i>Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.</i>
			<i>Contact: Kimberleigh Rivers Clerical Assistant, 484-250-5887.</i>
Construction Permit No. 1522526 , Major Amendment, Public Water Supply.			
Applicant	Aqua Pennsylvania, Inc.		
Address	762 W. Lancaster, Inc. Bryn Mawr, PA 19010		
Municipality	East Bradford East Marlborough Twps.		
County	Chester County		
Consulting Engineer	BCM Engineers/Atlas Technical Consultants 920 Germantown Pike Plymouth Meeting, PA 19462		
Application Received	October 17, 2022		
Permit Issued	April 20, 2023		
Description	Install two-line applications point at IMWTP and installation of a corrosion inhibitor system at WWH.		
Construction Permit No. 0922522 , Public Water Supply.			
Applicant	Warwick House		
Address	1460 Meetinghouse Road Hartsville, PA 18974-1070		
Municipality	Warwick Township		
County	Bucks County		
Consulting Engineer	Suburban Water Technology, Inc. 1697 Swamp Pike Gilbertsville, PA 19525		
Application Received	October 14, 2022		

Permit Issued April 26, 2023
 Description Permit for adding pH adjustment to existing system.

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

Contact: Thomas Filip, Environmental Engineer, 717-705-4708.

Construction Permit 2222518. PWSID No. **7220046.** **Pillow Borough Authority**, 174 South Union Street, Pillow, PA 17080, Pillow Borough, **Dauphin County**. Application received: September 22, 2022. Permit Issued: April 26, 2023. Installation of Well No. 6 as a new source of supply.

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

NCWSA Operation Permit 4310342. PWSID No. **4310342.** **Riverbank Campground**, P.O. Box 10, Mapleton Depot, PA 17052, Juniata Township, **Huntingdon County**. Application received: April 19, 2023. Permit Issued: April 26, 2023. Approval to operate for new system and treatment.

Operation Permit 6723505 MA. PWSID No. **7670100.** **The York Water Company**, 130 East Market Street, York, PA 17401, Spring Garden Township, **York County**. Application received: February 24, 2023. Permit Issued: April 26, 2023. Replacement of IFE turbidimeters at the Water Treatment Plant.

Construction/Operation Permit 2123501 MA. PWSID No. **7210029.** **Pennsylvania-American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, Silver Spring Township, **Cumberland County**. Application received: February 6, 2023. Permit Issued: April 26, 2023. Replacement of ammonia metering pumps at the Silver Spring Water Treatment Plant.

Construction/Operation Permit 5023502 MA. PWSID No. **7500015.** **Penn Township Municipal Authority**, 102 Municipal Building Road, Duncannon, PA 17020, Penn Township, **Perry County**. Application received: February 21, 2023. Permit Issued: April 26, 2023. Replacement of Sunshine Hills Well No. 2 well pump and new check valve.

Operation Permit 0721503 MA. PWSID No. **4070030.** **Martinsburg Municipal Authority**, 110 South Walnut Street, Martinsburg, PA 16662, North Woodbury Township, **Blair County**. Application received: April 21, 2023. Permit Issued: April 26, 2023. Operation of interconnection with Curryville Water authority.

Operation Permit 0721502. PWSID No. **4070298.** **Curryville Water Authority**, P.O. Box 11, Curryville, PA 16631, North Woodbury Township, **Blair County**. Application received: April 21, 2023. Permit Issued: April 26, 2023. Operation of interconnection with Martinsburg Municipal Authority.

Construction/Operation Permit 6723504 MA. PWSID No. **7670085.** **Dallastown-Yoe Water Authority**, 175 East Broad Street, Dallastown, PA 17313, Dallastown Borough, **York County**. Application received: February 15, 2023. Permit Issued: April 28, 2023. Installation of a tank mixer in the South Park Street tank.

Construction Permit 4423502. PWSID No. **4440011.** **McVeytown Borough Authority**, P.O. Box 321, 10 North Queen Street, McVeytown, PA 17501, McVeytown Borough, **Mifflin County**. Application received: March 22, 2023. Permit Issued: May 1, 2023. Construction permit for new Well No. 9.

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 1123502MA. PWSID No. **4110017.** **Highland Sewer & Water Authority**, 120 Tank Drive, Johnstown, PA 15904, Summerhill Township, **Cambria County**. Application received: February 10, 2023. Permit Issued: May 2, 2023. Installation of approximately 52,300 linear feet of 10-inch and 6-inch diameter transmission and distribution waterline and appurtenances along Frankstown Road/Fieldstone Avenue, Japp Road, Shaft Road, Sherbine Road, Fairview Avenue, and Washington Avenue (Tri-Township Waterline Project).

HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

NOTICE OF PROMPT-INTERIM RESPONSE

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

Contact: Charline Bass, 484-250-5787.

Boyertown Landfill HSCA Site, 300 Merkel Road, Gilbertsville, PA 19525, Douglass Township, **Montgomery County**.

The Department of Environmental Protection (DEP), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.101—6020.1305) has initiated a Prompt-Interim Response at the Boyertown Landfill HSCA Site (Site). This response has been initiated pursuant to Sections 501(a) and 505(b) of HSCA (35 P.S. §§ 6020.501(a) and (b)). The Site is located in Douglass Township, Montgomery County, PA.

The Site consists of a landfill located at 300 Merkel Road and the surrounding area. The area primarily consists of residential properties, an apartment complex, a few commercial properties, and agricultural land. To date, six residential potable wells have been affected by per- and polyfluorinated Substances (PFAS), and one PFAS, perfluorooctanoic acid (PFOA) was detected above its Maximum Contaminant Level (MCL) in all six wells. These residents with contaminated wells are receiving or have been offered bottled water service.

To address the release and threat of release of PFAS at the Site and corresponding threats to human health, DEP installed, and will maintain for the duration of its drinking water investigation at the Site, point-of-entry treatment systems. This response complies with Applicable, Relevant and Appropriate Requirements (ARARs), is feasible, and cost-effective. Other alternatives considered were no action, and the continued delivery of bottled water.

This notice is being provided pursuant to Section 506(b) of HSCA. The Administrative Record which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. The Administrative Record is lo-

cated at DEP's Southeast Regional Office at 2 East Main Street, Norristown, PA 19401, and is available for review Monday through Friday from 8:00 am until 4:00 pm. Those interested in examining the Administrative Record at DEP's office should contact Colin R. Wade at 484.250.5722 or by email at cowade@pa.gov to arrange for an appointment or to request electronic copies of documents in the administrative record. An additional hard copy of the administrative record is available for review at Douglass Township Building.

The Administrative Record will be open for comment from May 13, 2023 until August 11, 2023. Any person may submit written comments into the record during this time only, by sending them to Colin R. Wade, Environmental Protection Specialist, at the Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401 or by email at cowade@pa.gov.

In addition, any person may present oral comments, for inclusion in the Administrative Record, at a public hearing. DEP has scheduled the hearing on June 21, 2023 at 6:30 PM. Any person wishing to present comments must register with Stephanie Berardi a minimum of 24 hours in advance of the hearing by telephone at 484-250-5808, electronic mail at sberardi@pa.gov.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Stephanie Berardi at 484-250-5808 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how DEP may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from

the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

The Department has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Pocono Mountain School District, Primary Facility ID # **851827**, 208 Campus Drive, Swiftwater, PA 18370, Paradise Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Pocono Mountain School District, P.O. Box 200, 135 Pocono Mountain School Road, Swiftwater, PA 18370, submitted a Final Report concerning remediation of soil and groundwater contaminated with heating oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

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

Contact: 814-332-6671.

ARG Refinery, Primary Facility ID # **651768**, 77 North Kendall Avenue, Bradford, PA 16701-1726, City of Bradford, **McKean County**. GHD, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, on behalf of American Refining Group, Inc., 77 North Kendall Avenue, Bradford, PA 16701-1726, submitted a Risk Assessment concerning remediation of soil and groundwater contaminated with Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Fluorene, Phenanthrene, Anthracene, Pyrene, Chrysene, Benzo(a)anthracene, Benzo(b)fluoranthene, Benzo(a)pyrene, Benzo(g,h,i)perylene and groundwater: Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Phenanthrene, Pyrene, Chrysene for EU-6. The Risk Assessment is intended to document remediation of the site to meet the site-specific standards.

Contact: 814-332-6189.

North Central Enterprises Inc., Primary Facility ID # **864664**, 225 River Road, Ridgway, PA 15853, Ridgway Borough, **Elk County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Dave Puncheon, 49 Ridgmont Drive, Ridgway, PA 15853, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and ground-

water contaminated with low concentrations of metals, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and metals. 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.

Dew Fresh, Primary Facility ID # **866052**, 670 Clauss Road, Lenhartsville, PA 19534, Windsor Township, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of The Giorgi Companies, Inc., P.O. Box 96, Temple, PA 19560, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and in-

clude 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.

1190 Middletown Road, Primary Facility ID # **862956**, 1190 Middletown Road, Pen Argyl, PA 18072, Plainfield Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Troy Smith, 1190 Middletown Road, Pen Argyl, PA 18072, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 1, 2023.

Former H. John Davis Oil Company, Primary Facility ID # **858977**, 1180 Corporate Center Drive, Tobyhanna, PA 18466, Coolbaugh Township, **Monroe County**. Environmental Consulting Inc., 2002 Renaissance Blvd, Suite 110, King of Prussia, PA 19406, on behalf of IRPG-MP, LLC, 1611 Pond Road, Suite 200, Allentown, PA 18104, submitted a Final Report concerning remediation of soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 2, 2023.

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

Contact: Barry Stanton, 814-332-6195.

Interstate Chemical Company, Primary Facility ID # **781937**, 2797 Freedland Road, Hermitage, PA 16148, City of Hermitage, **Mercer County**. Wood Environment & Infrastructure Solutions, Inc., 437 Grant Street, Suite 918, Pittsburgh, PA 15219, on behalf of Interstate Chemical Company, Inc., 2797 Freedland Road, Hermitage, PA 16148, submitted a Cleanup Plan concerning remediation of soil and groundwater contaminated with 1,1,1-Trichloroethane, 1,1,2,2-Tetrachloroethane, 1,1,2-Trichloro-1,2,2-trifluoroethane, 1,1-Dichloroethane, 1,1-Dichloroethene, 1,2-Dichlorobenzene, 1,2-Dichloroethane, 2-Butanone (MEK), 2-Hexanone, 4-Methyl-2-pentanone (MIBK), Acetone, Benzene, Carbon disulfide, Chlorobenzene, Chloroethane, Chloroform, cis-1,2-Dichloroethene, Cyclohexane, Cyclohexanone, Dichlorodifluoromethane, Ethylbenzene, Hexane, Isopropylbenzene, Methyl acetate, Methyl tert-butyl ether, Methylcyclohexane, Methylene Chloride, Styrene, Tetrachloroethene, Tetrahydrofuran, Toluene, trans-1,2-Dichloroethene, trans-1,3-Dichloropropene, Trichloroethene, Vinyl chloride, Xylenes (Total), 1-Propanol, 2-Propanol (Isopropanol), Ethyl acetate, Ethylene glycol, Furfural, Methanol,

n-Butyl alcohol, Formaldehyde, Isobutyl alcohol, 1,1'-Biphenyl, 2,4-Dimethylphenol, 2-Methylnaphthalene, 2-Methylphenol, 4-Chloroaniline, Acenaphthene, Acenaphthylene, Acetophenone, Aniline, Anthracene, Benzaldehyde, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Benzoic acid, Bis(2-ethylhexyl) phthalate, Butyl benzyl phthalate, Carbazole, Chrysene, Cresols (Total), Dibenz(a,h)anthracene, Dibenzofuran, Diethyl phthalate, Di-n-butyl phthalate, Di-n-octyl phthalate, Fluoranthene, Fluorene, Hexachlorobenzene, Indeno[1,2,3-cd]pyrene, Isophorone, Methylphenol, 3 & 4, Naphthalene, Nitrobenzene, Phenanthrene, Phenol, Pyrene, PCB-1242, Arsenic, Barium, Cadmium, Chromium, Chromium (VI), Lead, Mercury, Selenium, Silver, Distilled Ammonia. The Plan site-specific standards. Issued an administrative deficiency letter: April 28, 2023.

Contact: Ben Weaver, 814-350-5132.

Ceriani Transport Accident Site, Primary Facility ID # 824614, 4300, 4315, and 4347 Route 219, Brockport, PA 15823, Snyder Township, **Jefferson County**. LaBela Associates, P.C., 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Ceriani Transport, Inc., 1274 Toby Road, Brockport, PA 15823, submitted a Final Report concerning remediation of soil and groundwater contaminated with 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, ethylbenzene, isopropylbenzene, MTBE, naphthalene, and toluene. The Final Report demonstrated attainment of the Statewide health standards. Approved: April 25, 2023.

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

Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.

Leesport Farmers Market, Primary Facility ID # 747128, 312 Gernants Church Road, Leesport, PA 19533, Ontelaunee Township and Leesport Borough, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Weist Properties, LTD, 707 Mountain View Drive, Hamburg, PA 19526, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil contaminated with Lead. The Report demonstrated attainment of the site-specific standards. Approved: May 1, 2023.

Carlisle Airport, Primary Facility ID # 864551, 210 Petersburg Road, Carlisle, PA 17013, South Middleton Township, **Cumberland County**. United Environmental Services, Inc., 1143 Long Run Road, Schuylkill Haven, PA 17972, on behalf of South Middleton Township, 210 Petersburg Road, Carlisle, PA 17013, submitted a Final Report concerning remediation of soil contaminated with Leaded Gasoline. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 2, 2023.

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

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

EQT Pale Ale Well Pad, Primary Facility ID # 865386, 933 Blockhouse Road, New Freeport, PA 15352, Jackson Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222, submitted a Final Report concerning remediation of soil contaminated

with aluminum, barium, boron, chloride, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health standards. Approved: May 2, 2023.

108 43rd Street, Primary Facility ID # 863424, 108 43rd Street, Pittsburgh, PA 15201, City of Pittsburgh, **Allegheny County**. Langan Engineering & Environmental Services, Inc., 2400 Ansys Drive, Suite 403, Canonsburg, PA 15317, on behalf of Willow Street Land, LLC, 800 Westchester Avenue, Suite N-349, Rye Brook, NY 10573, submitted a Baseline Workplan concerning remediation of soil and groundwater contaminated with metals in soil and volatile organic compounds, including chlorinated solvents, and metals in groundwater. The Report did not demonstrate attainment of the special industrial area provision of act 2. Issued a technical deficiency letter: May 2, 2023.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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.

PAD002387926. Merck Sharp & Dohme, LLC (formerly Merck Sharp & Dohme, Corp.), 770 Sumneytown Pike, West Point, PA 19486-0004, Upper Gwynedd Township, **Montgomery County**. This permit approves the 10-year renewal of the existing RCRA Part B Permit for Merck Sharp & Dohme, LLC—West Point Facility, a captive hazardous waste storage facility. Also, it approves the Class 1 permit modification application for the change of legal permittee's name from "Merck Sharp & Dohme Corp." to "Merck Sharp & Dohme, LLC". Application received: August 2, 2022. Permit issued: April 28, 2023.

Persons interested in reviewing the permit may contact Waste Management Program Manager, Phone Number 484.250.5960, or by e-mail at RA-EPWM-SERO-PERMIT@pa.gov, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

RESIDUAL WASTE GENERAL PERMITS

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

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

Contact: Roger Bellas, Environmental Program Manager, 570-826-2201.

WMGR096-NE001. Hazleton Creek Properties, LLC, 2747 Avenue Du Village, Bethlehem, PA 18015, City of Hazleton, **Luzerne County**. A permit renewal for

continued coverage under General Permit WMGR096 for the beneficial use of regulated fill at the Hazleton Remediation/Reclamation Project Site. Application received: June 14, 2018. Renewal issued: April 25, 2023.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

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

WMGM043NW005. Whiting Roll-Offs Inc., 1204 Blue Sky Drive, New Castle, PA 16105, City of New Castle, **Lawrence County**. Whiting Roll-Offs Inc. proposes to accept, transfer, and process prior to beneficially using construction and demolition waste materials including untreated and unpainted wood waste, stone, brick, block, concrete, cardboard, gypsum board, asphalt shingles, particle board, plastic, scrap metal, and glass. Application received: March 27, 2023. Issued: May 1, 2023. Expiration date: December 8, 2032.

Persons interested in reviewing the permit may contact Christina S. Wilhelm, Regional Solid Waste Program Manager, 814-332-6848, Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

Contact: Roger Bellas, Environmental Program Manager, 570-826-2201.

WMGR123-NE010. SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, New Milford Township, **Susquehanna County**. A determination of applicability for the processing, transfer and beneficial use of oil and gas liquid waste at the Odell

Water Transfer facility. Application received: November 10, 2022. Issued: April 26, 2023.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGR123-NE009. SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, New Milford Township, **Susquehanna County**. A determination of applicability for the processing, transfer and beneficial use of oil and gas liquid waste at the Colwell West Water Transfer facility. Application received: November 4, 2022. Issued: April 26, 2023.

Persons interested in reviewing the permit may contact Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) Usage Authorized Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to Construct, Modify, Reactivate or Operate Air Contamination Sources and Associated Air Cleaning Devices.

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.

GP3-08-331G: FS Lopke Contracting Inc., 3430 State Route 434, Apalachin, NY 13732, Towanda Township, **Bradford County**. This action is for the relocation of a 300 TPH KDI model FT425OCC portable mineral processing plant from the Lenox Quarry in Susquehanna County to the Wysox Quarry. Application received: March 30, 2023. Issued: April 28, 2023.

GP9-08-331G: FS Lopke Contracting Inc., 3430 State Route 434, Apalachin, NY 13732, Towanda Township, **Bradford County**. This action is for the relocation of a 440 bhp CAT model C13 engine used to power a portable mineral processing plant from the Lenox Quarry in Susquehanna County to the Wysox Quarry. Application received: March 30, 2023. Issued: April 28, 2023.

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

Contact: Raymond Kempa, Environmental Group Manager.

GP3-54-016: Summit Anthracite Inc., d/b/a Stavola Summit Materials, 175 Drift Road, Tinton Falls, NJ 07724, Porter Township, **Schuylkill County**. Installation of a portable crushing operation with watersprays Application received: March 30, 2023. Issued: April 17, 2023.

GP11-54-016: Summit Anthracite Inc., d/b/a Stavola Summit Materials, 175 Drift Road, Tinton Falls, NJ 07724, Polk Township, **Schuylkill County**. Installation of IC engines. Application received: March 30, 2023. Issued: April 17, 2023.

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

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

GP3-28-03076: JD Wagoner Excavating, 758 Bowman Road, Chambersburg, PA 17202, Guilford Township, **Franklin County**. For portable nonmetallic mineral processing equipment, under GP3, at the Mower Road construction site. Application received: March 29, 2023. Issued: April 25, 2023.

GP11-28-03076: JD Wagoner Excavating, 758 Bowman Road, Chambersburg, PA 17202, Guilford Township, **Franklin County**. For two non-road engines under GP11, to power portable nonmetallic mineral processing equipment, at the Mower Road construction site. Application received: March 29, 2023. Issued: April 25, 2023.

GP9-19-07-05014: New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, Taylor Township, **Blair County**. For four diesel fuel-fired internal combustion engines, under GP9, to power portable nonmetallic mineral processing equipment at the Roaring Spring Quarry. Application received: March 17, 2023. Issued: April 25, 2023.

GP19-28-03027A: APX Industrial Coatings, Inc., 9473 Lincoln Way West, Saint Thomas, PA 17252, Saint Thomas Township, **Franklin County**. For a new shot blast unit controlled by a cartridge collector, under GP19, at the surface coating facility. Application received: April 6, 2023. Issued: April 27, 2023.

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

GP3-38-03069: Streamline Concrete, Inc., 66 Racehorse Drive, Jonestown, PA 17038, Cornwall Borough, **Lebanon County**. For portable nonmetallic mineral processing equipment, under GP3, at the Cornwall Materials site. Application received: April 14, 2023. Issued: April 26, 2023.

GP9-38-03069: Streamline Concrete, Inc., 66 Racehorse Drive, Jonestown, PA 17038, Cornwall Borough, **Lebanon County**. For three diesel fuel-fired internal combustion engines, under GP9, to power portable nonmetallic mineral processing equipment at the Cornwall Materials site. Application received: April 14, 2023. Issued: April 26, 2023.

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

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

GP5-30-00820: EQM Gathering Opco, LLC, 2200 Energy Drive, Suite 200, Canonsburg, PA 15137, Franklin Township, **Greene County**. EQM Gathering Opco LLC received authorization on March 4, 2022 for the construction and operation of one (1) Stirling Engine Generator; one (1) 3.08 MMBtu/hr reboiler burner associated with the TEG dehydration unit; one (1) 4,000 gallon produced water tank; truck load-out operations for produced water; two (2) 520-gallon TEG storage tanks; one (1) 175 MMscf/day tri-ethylene glycol (TEG) dehydration unit; one (1) 2.0 MMBtu/hr Envirotherm 48" DVC thermal oxidizer; natural gas-actuated pneumatic controllers; venting and blowdowns; fugitive emissions component sources; and one (1) pig receiver at their Corsair dehydration facility located in Franklin Township, Greene County. Application received: March 21, 2023. Deemed administratively complete: March 27, 2023.

GP5A-63-01071: Range Resources Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA

15137, Buffalo Township, **Washington County**. Range Resources Appalachia LLC received authorization on May 3, 2023 for the construction and operation of • Eight (8) unconventional natural gas wells; one (1) air system compressor powered by a 10.1-bhp diesel-fired KD15-350 engine; five (5) gas processing units consisting of a three-phase separator and a 1.25 MMBtu/hr natural gas-fired heater; three (3) gas processing units consisting of a three phase separator and a 2.00 MMBtu/hr indirect fired line heater; one (1) natural gas-fired heated flash separator (HFS) rated at 0.325 MMBtu/hr; one (1) vapor separator; one (1) vapor recovery tower; one (1) catalytic heater; three (3) 500-bbl condensate storage tanks connected to a closed vent system; two (2) 500-bbl produced water storage tanks connected to a closed vent system; two (2) Comm Engineering Model 4 enclosed burner units (enclosed flares) each rated at 12.2 MMBtu/hr; two (2) air pneumatic diaphragm pumps; blowdowns and venting; two (2) condensate loading stations; two (2) produced water loading station; methanol usage; road emissions, fugitive emissions components; and two (2) vapor recovery units consisting of a tank vapor compressor driven by an electric motor at their Breese Emma Jo Well Pad located in Buffalo Township, Washington County. Application received: February 24, 2023. Deemed administratively complete: April 7, 2023.

Actions(s) Taken on Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and Regulations in 25 Pa. Code Chapter 127, Subchapter B Relating to Construction, Modification and Reactivation of Air Contamination Sources and Associated Air Cleaning Devices.

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

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

40-00153A: Modineer-Pulverman, LLC, 1170 Lower Demunds Road, Dallas, PA 18612, Dallas Township, **Luzerne County**. 40-00153A: Modineer-Pulverman, LLC (1170 Lower Demunds Road, Dallas, PA 18612) on May 1, 2023, for the modification of the powder coating spray operations to exhaust the dust collector discharge into outside atmosphere for seasonal heat relief at the existing manufacturing facility located in Dallas Township, Luzerne County. Application received: March 2, 2023. Issued: May 1, 2023.

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

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

63-00936F: MarkWest Liberty Midstream & Resources, LLC, 800 Western Ave, Washington, PA 15317, Chartiers Township, **Washington County**. Plan Approval extension effective May 28, 2023, to extend the period of temporary operation of the Houston Gas Plant located in Chartiers Township, Washington County. The new expiration date is November 28, 2023. Application received: April 10, 2023. Issued: May 2, 2023.

65-00881B: Innovative Carbide, LLC, 11040 Parker Drive, Irwin, PA 15642, North Huntingdon Township, **Westmoreland County**. Issued on May 2, 2023 to extend the period of construction at the Irwin Plant located in North Huntingdon Twp., Westmoreland County. The new expiration date is December 28, 2023. Application received: January 30, 2023. Issued: May 2, 2023.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

08-00010Q: Global Tungsten & Powders Corp., 1 Hawes Street, Towanda, PA 18848, North Towanda Township, **Bradford County**. To extend the authorization to operate the sources pursuant to the plan approval from April 25, 2023 to October 22, 2023, at their Towanda Facility. Application received: April 7, 2023. Revised: April 24, 2023.

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

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

28-05051A: AJ Stove and Pellet, LLC, 8642 Molly Pitcher Highway, Greencastle, PA 17225, Antrim Township, **Franklin County**. For construction of a wood pellet manufacturing plant with multi-clone emission control device. The plan approval was extended. Application received: April 17, 2023. Issued: April 27, 2023.

44-05001E: Standard Steel, LLC, 500 N. Walnut Street, Burnham, PA 17009, Burnham Borough, **Mifflin County**. For the steel mill. Plan Approval No. 44-05001E will authorize construction of a new radial forging machine, a new rotary reheat furnace (designated Source 205A) and supporting ancillary equipment (e.g., roller conveyors, transfer robot, ingot saws, etc.), including a robotic torch cutter for the forged axle ends. The existing radial forger and walking beam reheat furnace [Source 204] will remain operational while the new equipment is brought on-line during the shake down period and will remain in place as a backup to the proposed new equipment. The plan approval was extended. Application received: April 21, 2023. Issued: May 2, 2023.

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

Contact: James Beach, New Source Review Chief, 484-250-5920.

09-0210B: Waste Management of Fairless, LLC, 1000 New Ford Mill Road, Morrisville, PA 19067-3704, Falls Township, **Bucks County**. This action is for an extension of the plan approval for the operation and shakedown of three (3), 5,000 SCFM ultra low emission flares to combust the landfill gas collected from GROWS, GROWS North, and Fairless Landfills. Application received: April 6, 2023. Issued: April 26, 2023.

46-0262F: Penn Color, Inc., 2801 Richmond Road, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. This action is for the installation of a new C6 continuous and reroute existing equipment to a new or refurbished dust collector operating as part of Color Concentrate Manufacturing in the Dry Building 1 at the manufacturing plant. Application received: April 18, 2023. Issued: April 26, 2023.

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

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.

23-00003: Monroe Energy, LLC, 4101 Post Road, Trainer, PA 19061-5052, Trainer Borough, **Delaware County**. This action is for the renewal of a Title V Operating Permit for a petroleum refinery. Application received: August 3, 2018. Issued: April 28, 2023.

Operating Permit(s) for Non-Title V Facilities Issued Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

41-00079: Eureka Resources, LLC, 454 Pine Street, Williamsport, PA 17701, City of Williamsport, **Lycoming County**. The Department issued a renewal State Only (Natural Minor) Operating Permit for the gas well wastewater treatment operation at their Second Street facility. The State Only (Natural Minor) Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: August 9, 2022. Renewed: April 28, 2023. New expiration date: April 27, 2028.

49-00008: Milton Steel Company, 6 Canal Street, Milton, PA 17847, Milton Borough, **Northumberland County**. The Department issued a renewal State Only Operating Permit for the Milton. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: July 18, 2022. Renewal issued: April 20, 2023. New expiration date: April 19, 2028.

14-00035: EBY Paving & Construction, Inc., 1001 East College Avenue, Bellefonte, PA 16823, Spring Township, **Centre County**. The Department issued a renewal State Only Operating Permit for the company's Pleasant Gap Plant. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with State and Federal regulations. Application received: October 11, 2022. Renewed: May 1, 2023. New expiration date: April 30, 2028.

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

41-00046: Pennsylvania College of Technology, 2245 Reach Road, Williamsport, PA 17701-5577, City of Williamsport, **Lycoming County**. Issued a renewal State Only Operating Permit for the Williamsport campus. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: September 2, 2022. Issued: April 28, 2023.

55-00001: Sunbury Generation, LP, 2384 North Old Trail Rd., Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. Issued a renewal State Only

Operating Permit for their facility. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: October 2, 2022. Issued: April 28, 2023.

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

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

43-00290: Sharon Coating, LLC, 277 North Sharpsville Avenue, Sharon, PA 16146-2153, City of Sharon, **Mercer County**. The Department issued the renewal State Only Natural Minor Operating Permit for the steel coil manufacturing facility. The facility's primary emission sources include two (2) natural gas-fired annealing furnace lines, two (2) emergency diesel generators, miscellaneous natural gas usage, and two (2) parts washers. The potential emissions of the primary pollutants from the facility are as follows: PM₁₀ and PM_{2.5}: 7.14 TPY, NO_x: 94.33 TPY, SO_x: 0.90 TPY, CO: 75.78 TPY, and VOC: 5.99 TPY. The facility is subject to plan approval 43-290D, which includes an emission restriction so as not to exceed 95 tons per year of NO_x emissions and 76 tons per year of CO emissions, including a limit of 1,776,000 mcf/yr of natural gas usage. The emergency diesel generators are subject to 40 CFR Part 63, Subpart ZZZZ, NESHAP for stationary RICE. The permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: May 24, 2022. Issued: April 25, 2023.

37-00296: Select Industries, P.O. Box 7158, 420 North Cascade Street, New Castle, PA 16107, City of New Castle, **Lawrence County**. The Department issued the State Only Operating Permit for Select Industries for the tinsplate coating facility. The facility is a Natural Minor. The significant sources at the facility are a roll coater controlled by a thermal oxidizer, a printing press, a small paint booth, miscellaneous natural gas combustions sources, and miscellaneous cleaning solvent. The conditions of the previous approvals and Operating Permit were incorporated into the renewal permit. VOC emissions are approximately 8.2 lbs/hr from the surface coating as measured by stack testing at the outlet of the thermal oxidizer. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: December 13, 2021. Issued: March 16, 2023.

10-00337: McKnight Cranberry III LP, 800 Cranberry Woods Drive, Suite 260, Cranberry Township, PA 16066, Cranberry Township, **Butler County**. The Department issued the renewal State Only Operating Permit for McKnight Cranberry III LP for the operation of an emergency use engine. The facility is a Natural Minor. The primary source at the facility consists of one 2,000 kw Cummins emergency use engine. The potential emissions for this facility are based on 500 hours of operation: 11.26 TPY NO_x, 1.45 TPY CO, 0.08 TPY TSP/PM₁₀, 2.37 TPY SO_x, and 0.32 TPY VOC. HAP emissions are less than 1 TPY for individual HAPs and less than 1 TPY for all combined HAPs. The permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: June 1, 2022. Renewal issued: May 2, 2023.

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

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

06-03029: Yuasa Battery, Inc., 2901 Montrose Avenue, Laureldale, PA 19605, Laureldale Borough, **Berks County**. For the battery manufacturing facility. The State-Only permit was renewed. Application received: March 25, 2022. Issued: April 24, 2023.

36-05129: H & K Group, Inc., 2052 Lucon Road, P.O. Box 196, Skippack, PA 19474-0196, Brecknock Township, **Lancaster County**. For the batch asphalt operations at the Silver Hill Quarry. The State-Only permit was renewed. Application received: December 22, 2022. Issued: May 1, 2023.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

19-00002: Foam Fabricators, Inc., 17 Industrial Drive, Bloomsburg, PA 17815, South Centre Township, **Columbia County**. The company was issued a revised Title V Operating Permit for a change in Responsible Official at their Bloomsburg facility. All applicable Federal and State regulatory requirements including monitoring, recordkeeping, reporting, and work practice conditions to ensure compliance are included in the Title V permit. Application received: February 3, 2023. Revised: April 17, 2023. Expiration date: January 19, 2027.

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

53-00001: Tennessee Gas Pipeline Company, LLC, 1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089, Hebron Township, **Potter County**. Was issued a Title V Operating Permit modification for issuance of the revisions related to required Title V monitoring including CAM requirements as applicable to the facility and its rich-burn engines controlled by NSCR technology and associated with Source IDs P101—P109 at compressor station 313 along with the other revisions submitted by the facility's significant Operating Permit application pursuant to 25 Pa. Code § 127.541 under Subchapter G of Chapter 127 of Article III, relating to Air Resources. All applicable Federal and State regulatory requirements including the appropriate testing, monitoring, recordkeeping, reporting, and work practices other compliance demonstration conditions as necessary to verify compliance are included within the revised Title V Operating Permit for the facility. Application received: June 22, 2021. Issued: April 28, 2023.

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

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

43-0378: A Stucki American Industries, 1 American Way, Sharon, PA 16146-2177, City of Sharon, **Mercer County**. The Department administratively amended the Natural Minor State Only Operating Permit to incorpo-

rate the change of responsible official. Application received: March 20, 2023. Revised: April 24, 2023.

ACTIONS ON COAL AND NONCOAL APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the National Pollutant Discharge Elimination System (NPDES) permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1103). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Coal Permits

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

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

Mining Permit No. 56220102. NPDES No. PA0279871. Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, Brothersvalley Township, Somerset County. Commencement, operation and restoration of a bituminous surface mine affecting 114.3 acres. Receiving streams: unnamed tributaries to Buffalo Creek classified for the following use: CWF. Application received: May 23, 2022. Issued: April 26, 2023.

Mining Permit No. 56120106. NPDES No. PA0268984. PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Quemahoning Township, Somerset County. Renewal to the NPDES permit of a bituminous surface mine affecting 150.4 acres. Receiving streams: unnamed tributary to Stonycreek and Stonycreek River classified for the following uses: CWF & WWF. Application received: November 21, 2022. Denied: May 1, 2023.

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

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

Mining Permit No. 33120102. NPDES No. PA0259628. Original Fuels, Inc., P.O. Box 343, Punxsutawney, PA 15767, Perry Township, Jefferson County. Renewal of an existing bituminous surface mine and associated NPDES permit. Application received: December 27, 2022. Issued: April 25, 2023.

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

Contact: Tracy Norbert 724-925-5500, ra-epnew Stanton@pa.gov.

Mining Permit No. Government Financed Contract Number 65-21-02. NPDES No. PA0278513. Robindale Energy Services, Inc., 224 Grange Hall Road, Armagh, PA 15920, Derry Township, Westmoreland County. Government Financed Contract issued for reclamation of approximately 4.9 acres of abandoned mine land. Receiving streams: Union Run, classified for the following use: WWF. Application received: July 16, 2021. Issued: April 27, 2023.

Noncoal Permits

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

Contact: Cassie Stanton, Clerical Assistant, 814-342-8200.

Mining Permit No. 14060301. NPDES No. PA0256323. Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803, Rush Township, Centre County. Approval of a major revision to the permit of an existing large industrial minerals surface mining permit. A revision to the permit boundary is approved to add 8.82 acres to the current 159.04-acres permit, increasing the total permit area to 167.86 acres. A variance is approved to conduct mining and support activities within 100 feet of public road Dale Road (Township Road 317). Receiving stream(s): UNT leading to Moshannon Creek classified for the following use(s): CWF. Application received: November 29, 2022. Accepted: November 29, 2022. Issued: April 26, 2023.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.

Blasting Permits

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

Contact: Cassie Stanton, Clerical Assistant, 814-342-8101.

Permit No. 14234102. Douglas Explosives Services, LLC, 2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866, College Township, Centre County. Blasting for residential development. Application received: April 24, 2023. Issued: April 27, 2023. Expiration date: December 30, 2023.

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

Contact: ra-eppottsvilledmo@pa.gov.

Permit No. 64234001. Northeast Blasting, 403 Middle Creek Road, Honesdale, PA 18431, South Canaan Township, Wayne County. Construction blasting for Roger McKinney Farm. Application received: April 3, 2023. Permit issued: April 25, 2023. Expiration date: March 30, 2024.

Permit No. 39234101. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Upper Macungie Township, Lehigh County. Construction blast-

ing for Lehigh Hills Phase 4. Application received: April 20, 2023. Permit issued: April 27, 2023. Expiration date: January 20, 2024.

Permit No. 40234107. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Hanover Township, **Luzerne County**. Construction blasting for 400 Stewart Road. Application received: April 14, 2023. Permit issued: April 27, 2023. Expiration date: April 18, 2024.

Permit No. 15234102. Rock Work, Inc., 1257 Dekalb Pike, Blue Bell, PA 19422, West Whiteland Township, **Chester County**. Construction blasting for Ship Run Development. Application received: April 25, 2023. Permit issued: April 28, 2023. Expiration date: May 1, 2024.

Permit No. 22234102. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Derry Township, **Dauphin County**. Construction blasting for Grandview Drive. Application received: April 18, 2023. Permit issued: April 28, 2023. Expiration date: April 18, 2024.

Permit No. 38234107. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, North Londonderry Township, **Lebanon County**. Construction blasting for Fox Run at Londonderry Phase I. Application received: April 25, 2023. Permit issued: April 28, 2023. Expiration date: April 25, 2024.

Permit No. 67234102. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Spring Garden Township & City of York, **York County**. Construction blasting for York Logisticenter. Application received: April 21, 2023. Permit issued: April 28, 2023. Expiration date: April 21, 2024.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board 717-787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.

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

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

E3502222-012. Derek Mead, 143 Buck Hill Drive, Greentown, PA 18426, Madison Township, **Lackawanna County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a private residence stream crossing conveying flow for Potter Creek (HQ—CWF, MF) consisting of a single 21.0-foot span, 14-foot long steel girder bridge with a wood or concrete deck and upstream and downstream wingwalls, boulder streambank protection, and riprap scour protection. Approximately 0.02 acre of permanent EV wetland impacts are associated with this project. The project is located on the right of Quicktown Road approximately 0.5 mile northwest after the intersection with Madisonville Road (SR-690) (Sterling, PA Quadrangle Latitude: 41° 22' 18", Longitude: -75° 27' 38") in Madison Township, Lackawanna County. Latitude: 41° 22' 18", Longitude: -75° 27' 38". Application received: November 22, 2022.

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

Contact: ra-epww-nwro@pa.gov.

E25-424A. PA Fish and Boat Commission, 595 East Rolling Ridge Drive, Bellefonte, PA 16823, North East Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District.

On April 26, 2023, DEP approved an amendment to DEP Permit No. E25-424A which authorizes PA Fish and Boat Commission's operation and maintenance of the North East Marina and Access Area in and along Lake Erie in North East Township, Erie County. This amendment was submitted in response to the Department's partial suspension of 401 Water Quality Certification by letter dated February 23, 2023 and changes the procedures for marina basin dredging and dredged material handling and disposal at the facility. The permit amended to allow the annual removal of accumulated sediment from the marina basin in order to maintain a bottom elevation of 566 feet based on the 1985 International Great Lakes Datum. Dredged material is to be dewatered

onsite immediately upgradient of the marina basin for upland disposition as approved and allowable by the Department in accordance with the 2023 Marina Basin Maintenance Plan and the Spill Prevention and Response Plan. Latitude: 42.258831°, Longitude: -79.793542°. Application received: March 31, 2023. Issued: April 26, 2023.

E2006222-001. Conneaut Lake Properties LLC, 10431 Perry Highway, Suite 100, Wexford, PA 15090, Sadsbury Township, **Crawford County**. U.S. Army Corps of Engineers Pittsburgh District.

Permanently impact a total 0.67 acre of wetlands (0.59 acre PFO, 0.01 acre PSS, and 0.06 PEM), 0.95 acre of lacustrine impact to Conneaut Lake and adjoining canals, and 79 linear feet of stream impacts to UNT Conneaut Lake (HQ—CWF) associated with the construction of a residential housing complex, roads, utilities, stormwater management facilities, and boat docks, and dredging activities approximately 0.24 mile northwest of the intersection of Louderman Road and PA 618 (Conneaut Lake, PA Quadrangle N: 41.623053°; W: -80.321757°) in Sadsbury Township, Crawford County. The project includes on-site construction of a total of 2.12 acres of replacement wetland (2.01 acres PFO, 0.09-acre PEM, and 0.02 acre PSS) as mitigation for project impacts. Latitude: 41.623053°, Longitude: -80.321757°. Application received: January 10, 2022. Issued: April 26, 2023.

E2006220-021. Drew Russ, 4025 Lawnview Avenue, Pittsburgh, PA 15227, Summit Township, **Crawford County**. U.S. Army Corps of Engineers Pittsburgh District.

The Department denied the application for amendment of Permit No. E2006220-021 which authorizes Drew Russ to construct and maintain the Lakeside HOA dock along the west side of Conneaut Lake. The proposed amendment to reconfigure the dock and extend from 150 feet as currently approved to a proposed 168 feet from shore. The denial was based on concerns related to the length of the proposed extension and adverse impact to safe boating use of Conneaut Lake. Latitude: 41.635295°, Longitude: -80.311750°. Application received: November 9, 2022. Denied: May 2, 2023.

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

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E1501222-010. PECO Energy Company, 2301 Market Street, N3-3, Philadelphia, PA 19103, Willistown Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a new 4-inch-high pressure plastic gas main along Harvey Lane via horizontal direction drill (HDD) within the roadway and will cross under two culverts approximately 250 feet apart carrying the West Branch of Crum Creek (EV-MF) associated with the new tie-ins to residential properties. The site is located along Harvey Lane (Malvern, PA USGS Quadrangle) in Willistown Township, Chester County. Latitude: 40.013349°, Longitude: -75.511013°. Application received: December 29, 2022. Issued: April 28, 2023.

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

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

E3007223-001. EQM Gathering OPCO, LLC, 2200 Energy Drive, Canonsburg, PA 15317, Franklin Township, **Greene County**. U.S. Army Corps of Engineers Pittsburgh District.

Latitude: 39.86580°, Longitude: -80.19967°. Sub-Basin 19B (Tenmile Creek Watershed), Quad Name: Waynesburg and Oak Forest. Application received: February 17, 2023. Issued: May 1, 2023.

The applicant proposes to install approximately 4.4 miles of one 20-inch diameter steel natural gas gathering pipeline, two permanent facilities, and one associated permanent access road. The gas pipeline will connect the proposed permanent Portal Site gravel pad facility in the west to the proposed Mount Morris geoweb pad in the east. Construction activities will include clearing and grubbing within the right of way, trenching, pipeline installation, geoweb slope stabilization, construction of Portal Site and Mount Morris geoweb pad, and site restoration. Approximately 49.4 acres of total earth disturbance is anticipated as a result of this project. Proposed project proposes 15 wetland, 10 stream, and 11 floodway crossings and includes one stream crossing (stream S-KP03; UNT to Laurel Run) which is located on a property listed on the National Register of Historic Places (NHRP) (Thomas Kent Jr. Farm, resource # 1997RE00466).

STREAM IMPACTS

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93 Designation</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Perm. (LF)</i>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
Smith Creek (S-KS01)	Perennial	Excavation and Equipment Crossing	WWF	16	50	0.01	0.03
Sugar Run (S-KP02) (crossing 1)	Perennial	Excavation and Equipment Crossing	WWF	16	75	0.002	0.01
UNT to Laurel Run (S-KP03)	Intermittent	Excavation and Equipment Crossing	WWF	16	50	0.002	0.01
Laurel Run (S-MS01)	Perennial	Excavation and Equipment Crossing	WWF	16	50	0.004	0.01
UNT to Laurel Run (S-MS02)	Ephemeral	Excavation and Equipment Crossing	WWF	16	50	0.001	0.005
UNT to Laurel Run (S-MS03)	Intermittent	Excavation and Equipment Crossing	WWF	16	50	0.001	0.004

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93 Designation</i>	<i>Impact Area Temp. (LF)</i>	<i>Impact Area Perm. (LF)</i>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
UNT to Laurel Run (S-KS02) (crossing 1)	Perennial	Excavation and Equipment Crossing	WWF	16	50	0.005	0.02
UNT to Laurel Run (S-KS02) (crossing 2)	Perennial	Excavation and Equipment Crossing	WWF	16	50	0.002	0.005
UNT to Laurel Run (S-KS02-BRAID)	Perennial	Excavation and Equipment Crossing	WWF	16	50	0.002	0.006
Sugar Run (S-KP02) (crossing 2)	Perennial	Excavation and Equipment Crossing	WWF	16	-	0.002	-
<i>Stream Totals</i>				160 LF	475 LF	0.03 Ac	0.1 Ac

FLOODWAY IMPACTS

<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>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
Smith Creek (S-KS01) Floodway	Floodway	Excavation and Equipment Crossing	WWF	1,200	13,353	0.27	0.3
Sugar Run (S-KP02) Floodway (crossing 1)	Floodway	Excavation and Equipment Crossing	WWF	350	8,597	0.20	0.08
UNT to Laurel Run (S-KP03) Floodway	Floodway	Excavation and Equipment Crossing	WWF	480	5,364	0.01	0.12
Laurel Run (S-MS01) Floodway	Floodway	Excavation and Equipment Crossing	WWF	720	5,610	0.02	0.13
UNT to Laurel Run (S-MS02) Floodway	Floodway	Excavation and Equipment Crossing	WWF	480	5,223	0.01	0.12
UNT to Laurel Run (S-MS03) Floodway	Floodway	Excavation and Equipment Crossing	WWF	240	3,596	0.005	0.08
UNT to Laurel Run (S-KS02) (crossing 1) Floodway	Floodway	Excavation and Equipment Crossing	WWF	92	6,334	0.002	0.15
UNT to Laurel Run (S-KS02) Floodway (crossing 2)	Floodway	Excavation and Equipment Crossing	WWF	262	6,308	0.006	0.14
UNT to Laurel Run (S-KS02-BRAID) Floodway	Floodway	Excavation and Equipment Crossing	WWF	266	6,706	0.006	0.15
Sugar Run (S-KP02) Floodway (crossing 2)	Floodway	Excavation and Equipment Crossing	WWF	1,363	-	0.03	-
Sugar Run (S-KP02) Floodway (crossing 3)	Floodway	Excavation and Equipment Crossing	WWF	667	-	0.01	-
<i>Floodway Totals</i>				6,120 SF	61,091 SF	0.57 Ac	1.27 Ac

WETLAND IMPACTS

<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>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
Wetland W-KS04	PEM	Excavation and Equipment Crossing	Other	395	1,253	0.01	0.03
Wetland W-KP02 (crossing 1)	PEM	Excavation and Equipment Crossing	Other	480	622	0.01	0.01
Wetland W-KS09	PEM	Excavation and Equipment Crossing	Other	224	458	0.005	0.01

<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>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>
Wetland W-KP04 (crossing 1)	PEM	Excavation and Equipment Crossing	Other	532	1,726	0.01	0.04
Wetland W-KP04 (crossing 2)	PEM	Excavation and Equipment Crossing	Other	592	1,726	0.01	0.04
Wetland W-KP04 (crossing 3)	PEM	Excavation and Equipment Crossing	Other	1,029	3,250	0.02	0.07
Wetland W-KP04 (crossing 4)	PEM	Excavation and Equipment Crossing	Other	205	-	0.004	-
Wetland W-MS02	PEM	Excavation and Equipment Crossing	Other	143	3,298	0.003	0.08
Wetland W-MS03	PEM	Excavation and Equipment Crossing	Other	36	240	0.001	0.005
Wetland W-MS04	PEM	Excavation and Equipment Crossing	Other	6	37	>0.001	0.001
Wetland W-KS07	PFO	Excavation and Equipment Crossing	Other	114	416	0.003	0.01
Wetland W-KS06 (crossing 1)	PEM	Excavation and Equipment Crossing	Other	1,972	6,706	0.04	0.15
Wetland W-KS06 (crossing 2)	PEM	Excavation and Equipment Crossing	Other	62	793	0.001	0.02
Wetland W-KS05	PEM	Excavation and Equipment Crossing	Other	711	-	0.02	-
Wetland W-KP02 (crossing 2)	PEM	Excavation and Equipment Crossing	Other	99	-	0.002	-
<i>Wetland Totals</i>	<i>PEM</i>			6,486 SF	20,109 SF	0.14 Ac	0.46 Ac
	<i>PFO</i>			114 SF	416 SF	0.003 Ac	0.01 Ac

Contact: Dana Drake, Program Manager, 412-442-4000.

E26-021. Municipal Authority of Westmoreland County, P.O. Box 730, Greensburg, PA 15601, Dunbar Township, **Fayette County**. U.S. Army Corps of Engineers District.

The applicant has been given consent to: Construct, operate, and maintain a 15,317 square foot addition onto the existing water filtration building as well as a new 43,700 square foot open-air sludge lagoon for the Municipal Authority of Westmoreland County. Impacts will consist of floodplain impacts only resulting in 1.91 acres of permanent impact, and 5.10 acres of temporary impact to the floodplain of the Youghiogheny River (HQ—TSF) for the purpose of increasing the treatment plant's raw water treatment capacity. The permit was previously posted under E2605222-003. The project site is located at 801 Riverside Drive, Connellsville, PA 15425, PA USGS topographic quadrangle; N: -39° 59' 48", W: -79° 35' 48" Sub-basin 19D; USACE Pittsburgh District, in Dunbar Township, Fayette County. Application received: May 11, 2022. Issued: April 28, 2023.

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.

D48-026EA. David Hopkins, Director of Public Works, 123 South Third Street, Easton, PA 18042, City of

Easton, **Northampton County**. U.S. Army Corps of Engineers Philadelphia District.

The Department of Environmental Protection, Division of Dam Safety (Department) has reviewed and approved the restoration plan to remove the Lower Dam to eliminate a threat to public safety and to restore approximately 1,200 feet of stream channel to a free-flowing condition. The proposed restoration project includes grading and armoring of both stream banks and the armoring of piers for two bridges upstream. The project is located across Bushkill Creek (HQ—CWF, MF) (Easton, PA Quadrangle, Latitude: 40.6933, Longitude: -75.2165). Application received: December 20, 2022. Approved: April 19, 2023.

D48-024EA. Wendy Houptley, 3701 Orchid Place, Emmaus, PA 18049, City of Easton, **Northampton County**. U.S. Army Corps of Engineers Philadelphia District.

The Department of Environmental Protection, Division of Dam Safety (Department) has reviewed and approved the restoration plan to remove the Dewalt Dam to eliminate a threat to public safety and to restore approximately 1,300 feet of stream channel to a free-flowing condition. The defunct concrete run-of-river dam is 6 feet high and 115 feet long. The proposed restoration project includes complete dam removal except for the left abutment, which will remain for stability purposes, and approximately 890 feet of armored stabilization work for stream banks and bridge piers. The streambank project will include installation of large woody debris. The project is located across Bushkill Creek (HQ—CWF, MF) (Easton,

PA Quadrangle, Latitude: 40.6989; Longitude: -75.2239). Plan approved on 4/19/2023. Application received: December 20, 2022. Approved: April 19, 2023.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information.

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

Contact: ra-epeasternogprg@pa.gov.

ESCGP # 3 **ESG290823004-00**
 Applicant Name **Chesapeake Appalachia, LLC**
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 Township(s) Smithfield Township
 County **Bradford County**
 Receiving Stream(s) and Classification(s) Trib 30691 to Browns Creek (WWF, MF), S-WRA-001-PC (WWF, MF), S-WRA-003-PC (WWF, MF)
 Application received: March 23, 2023
 Issued: April 25, 2023

ESCGP # 3 **ESG296623001-00**
 Applicant Name **BKV Operating, LLC**
 Contact Person Heather Moyer
 Address 1200 17th Street, Suite 2100
 City, State, Zip Denver, CO 80202
 Township(s) Mehoopany Township
 County **Wyoming County**
 Receiving Stream(s) and Classification(s) Mehoopany Creek CWF-MF (# 2390) (CWF, MF)
 Application received: January 30, 2023
 Issued: April 25, 2023

ESCGP # 3 **ESG296623002-00**
 Applicant Name **UGI Manning Lng, LLC**
 Contact Person Amber Holly

Address 835 Knitting Way
 City, State, Zip Wyomissing, PA 19610
 Township(s) Washington Township
 County **Wyoming County**
 Receiving Stream(s) and Classification(s) Unnamed Trib to Susquehanna River (CWF, MF)
 Application received: March 28, 2023
 Issued: May 1, 2023

Northwest District: Oil and Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481.

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

ESCGP # 3 **ESG081022011-00**
 Applicant Name **MNT Gathering, LLC**
 Contact Person Melissa Breitenbach
 Address 190 Thorn Hill Rd
 City, State, Zip Warrendale, PA 15086
 Township(s) Forward Township
 County **Butler County**
 Receiving Stream(s) and Classification(s) Connoquenessing Creek (WWF)
 Application received: November 14, 2022
 Issued: April 28, 2023

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

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

ESCGP # 3 **ESG083222002-00**
 Applicant Name **INR OPR LLC**
 Contact Person Ian Costello
 Address 2605 Cranberry Sq
 City, State, Zip Morgantown, WV 26508-9201
 Township(s) South Bend Township, Armstrong and Young Townships
 County **Armstrong County and Indiana County**
 Receiving Stream(s) and Classification(s) Gobbler's Run
 Application received: December 22, 2022
 Issued: April 28, 2023

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

Contact: D. J. Stevenson, (412) 422-4281.

ESCGP # 3 **ESG076522009-00**
 Applicant Name **Apex Energy (PA), LLC**
 Contact Person Brooke Molde
 Address 6041 Wallace Road Extension, Building 3, Suite 100
 City, State, Zip Wexford, PA 15090-7383
 Township(s) Penn Township
 County **Westmoreland County**
 Receiving Stream(s) and Classification(s) UNT to Trib 37359 Lyons Run, TSF
 Application received: November 21, 2022
 Issued: May 1, 2023

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

ESCGP # 3 **ESG073023003-00**
 Applicant Name **EQM Gathering OPCO, LLC**
 Contact Person Kirsten Kiesel
 Address 2200 Energy Drive
 City, State, Zip Canonsburg, PA 15317
 Township(s) Aleppo Township, Springhill Township
 County **Greene County**
 Receiving Stream(s) and Classification(s) South Fork Dunkard Fork, TSF; UNT to South Fork Dunkard Fork, TSF
 Application received: January 27, 2023
 Issued: April 26, 2023

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Fill & Fly of Tobyhanna, Storage Tank Facility ID # **45-00849**, 103 Prospect Street, Tobyhanna, PA 18466, Coolbaugh Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Fill & Fly of Tobyhanna, LLC, 103 Prospect Street, Tobyhanna, PA 18466 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting site-specific standards.

Easton Ave Mart, Storage Tank Facility ID # **48-22836**, 2900 Easton Avenue, Bethlehem, PA 18017, Bethlehem Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Community First Fund, 51 South Duke Street, Suite 400, Lancaster, PA 17608 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting residential Statewide health standards.

Former Tolino's Speedbreak # 35, Storage Tank Facility ID # **48-35164**, 1035 Blue Valley Drive, Pen Argyl, PA 18072, Plainfield Township, **Northampton**

County. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Tolino Fuel Service, 225 Flicksville Road, Flicksville, PA 18050 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The report 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: Gregory Bowman, Environmental Group Manager.

Turkey Hill 63, Storage Tank Facility ID # **36-08771**, 903 South State Street, Ephrata, PA 17522-2354, Ephrata Borough, **Lancaster County**. Groundwater and Environmental Services Inc., 440 Creamery Way, Exton, PA 19341, on behalf of EG America/Turkey Hill Minit Marts, 165 Flanders Rd, Westborough, MA 01581 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with Petroleum Constituents. The plan is intended to document the remedial actions for meeting Statewide health and site-specific standards.

Contact: Robin L. Yerger, LPG.

Carlisle Street Sunoco, Storage Tank Facility ID # **67-04951**, 630 Carlisle St, Hanover, PA 17331, Hanover Borough, **York County**. Mountain Research LLC, 825 25th St, Altoona, PA 16601, on behalf of South Ave Service Station Inc., 36 Flume St, Iselin, NJ 08830 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The combined plan and report is intended to document the remedial actions for meeting site-specific standards.

Contact: Robin L. Yerger, LPG, 717-705-4705.

Met Ed Dillsburg OFC, Storage Tank Facility ID # **67-05524**, 220 North Baltimore Street, Dillsburg, PA 17019, Dillsburg Borough, **York County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of Metro Edison Company, 800 Cabin Hill Drive, Greensburg, PA 15601 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The plan is intended to document the remedial actions for meeting residential Statewide health and site-specific standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is

submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

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

DEP has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager.

Citizen's Steam Fire Company Number 2, Storage Tank Facility ID # **54-29162**, 202 West Centre Street, Mahanoy City, PA 17972, Mahanoy City Borough, **Schuylkill County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Citizen's Steam Fire Company Number 2, 202 West Centre Street, Mahanoy City, PA 17948 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was acceptable to meet the site-specific standards and was approved by DEP on April 27, 2023.

1618 Route 61 S Schuylkill Haven PA0053, Storage Tank Facility ID # **54-27209**, 1618 Route 61 South, Schuylkill Haven, PA 17972, Schuylkill Haven Borough, **Schuylkill County**. Synergy Environmental, 155 Railroad Plaza, Royersford, PA 19468, on behalf of Cross-America Partners, 600 Hamilton Street, Suite 500, Allentown, PA 18101 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was not acceptable to meet the Statewide health standards and was disapproved by DEP on May 1, 2023.

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

Contact: A. Lee Nageotte, 814-332-6127.

Worthington Sunoco, Storage Tank Facility ID # **03-80025**, 15126 US Route 422, Worthington, PA 16262, Worthington Borough, **Armstrong County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of Worthington Sunoco, 15126 US Route 422, Worthington, PA 16262 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan nonresidential demonstrated attainment of the site-specific standards and was approved by DEP on April 20, 2023.

Contact: Ben Weaver, 814-350-5132.

Cherry Tree Cardlock, Storage Tank Facility ID # **32-83050**, 60 Main and Market Street, Cherry Tree, PA 15724-0308, Cherry Tree Borough, **Indiana County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Tanks Pumps & Accessories, Inc., 12475 Route 19 Highway North, Rochester Mills, PA 15771 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on April 20, 2023.

Contact: Chris Schiappa, 724-598-2206.

PA DOT Lawrence Cnty Maint Bldg, Storage Tank Facility ID # **37-08625**, 1800 Wilmington Road, New Castle, PA 16105, Neshannock Township, **Lawrence County**. Dewberry Engineers Inc., 600 Parsippany Road, Parsippany, NJ 07054, on behalf of PA DoT Maint & Opr Bur, 1800 Wilmington Rd, New Castle, PA 16105 submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined plan and report nonresidential did not demonstrate attainment of the site-specific standards and was disapproved by DEP on April 19, 2023.

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

Contact: Robin L. Yerger, LPG.

Carlisle Street Sunoco, Storage Tank Facility ID # **67-04951**, 630 Carlisle St, Hanover, PA 17331, **York County**. Mountain Research LLC, 825 25th St, Altoona, PA 16601, on behalf of South Ave Service Station Inc., 36 Flume St, Iselin, NJ 08830 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The combined plan and report was acceptable to meet the site-specific standards and was approved by DEP on May 1, 2023.

Met Ed Dillsburg OFC, Storage Tank Facility ID # **67-05524**, 220 North Baltimore Street, Dillsburg, PA 17019, Dillsburg Borough, **York County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of Metro Edison Company, 800 Cabin Hill Drive, Greensburg, PA 15601 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The plan residential was not acceptable to meet the Statewide health and site-specific standards and was disapproved by DEP on April 27, 2023.

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

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Mobil Car Wash, Storage Tank Facility ID # **23-27099**, 3150 Pennell Rd., Media, PA 19064, Aston Township, **Delaware County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of American Autowash, Inc., 512 King Road, Malvern, PA 19355 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on May 1, 2023.

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

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

BP # 00956, Storage Tank Facility ID # **02-80163**, 2929 Churchview Avenue, Pittsburgh, PA 1522, Baldwin Township, **Allegheny County**. Antea USA, Inc., 1055 Westlakes Drive, Suite 300, Berwyn, PA 16312, on behalf of BP Products North America, Inc., 1 West Pennsylvania Avenue, Suite 440, Towson, PA 21204 submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined plan and report residential did not demonstrate attainment of the site-specific standards and was disapproved by DEP on April 27, 2023.

SPECIAL NOTICES

WATER PROGRAMS

PUBLIC NOTICE OF FINAL STATE WATER QUALITY CERTIFICATION

State Water Quality Certification Issued by the Commonwealth of Pennsylvania, Department of Environmental Protection Pursuant to Section 401 of the Clean Water Act for the Mon/Fayette Expressway PART 51 to Duquesne, Section 53A2 Project.

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

Contact: RA-EPREGIONALPERMIT@pa.gov.

WQ0283222-001, Pennsylvania Turnpike Commission (Applicant), 700 S. Eisenhower Blvd. Mon/Fayette Expressway PA Rt 51 to Duquesne, Section 53A2 (Project), in West Mifflin Borough, **Allegheny County**, ACOE Pittsburgh District. The proposed project starts just south of New England Road (Latitude: 40.324027°; Longitude: -79.906106°) and ends just south of Curry Hollow Road (Latitude: 40.347209°; Longitude: -79.912195°).

On May 4, 2022, Applicant submitted a request for a Chapter 105 Individual Water Obstruction and Encroachment Permit application on May 4, 2022, which also serves as a request for a Section 401 State Water Quality Certification (SWQC) under Section 401 of the Federal Clean Water Act, as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania consistent with the requirements of State law and the Clean Water Act.

The Project, as proposed, includes approximately 2 miles of new roadway construction and a diamond interchange with roundabouts at SR 2043 (Camp Hollow Road) and realignment of SR 2043. The Project, as proposed, will require approximately 201 acres of earth disturbance, and permanent impacts to 4,181 linear feet of unnamed tributaries to Monongahela River (WWF), 7.76 acres of floodway, and 0.69 acre to PEM, PSS, and PFO wetlands, and temporary impacts to 1,376 linear feet of unnamed tributaries to Monongahela River (WWF) and 3.45 acres of floodway.

On May 1, 2023, DEP issued a conditional State Water Quality Certification (SWQC) to Pennsylvania Turnpike Commission for the Mon/Fayette Expressway Rt 51 to Duquesne, Section 53A2 project. This SWQC is conditioned on Pennsylvania Turnpike Commission obtaining all necessary state permits, approvals and authorizations

for the Project, including those required under 25 Pa. Code Chapter 92a (relating to National Pollutant Discharge Elimination System Permitting, Monitoring and Compliance), 25 Pa. Code Chapters 102 (relating to Erosion and Sediment Control) and Chapter 105 (relating to Dam Safety and Waterway Management), and complying with all conditions set forth in the SWQC.

Pennsylvania possesses a water quality standards program that is integrated into the Pennsylvania water permitting programs to ensure protection of waters of the Commonwealth in accordance with Pennsylvania law and the Federal Clean Water Act. The water quality certification ensures that the applicant will comply with water quality standards through the established permitting processes. Pennsylvania Turnpike Commission must obtain the applicable permits before it can begin construction. Applicable permits include permits issued under 25 Pa. Code Chapters 92a, 102 and 105.

PADEP certifies that the construction, operation, and maintenance of the Project complies with the applicable provisions of sections 301–303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311–1313, 1316 and 1317). The PADEP further certifies that the construction, operation and maintenance of the Project complies with Pennsylvania water quality standards and that the construction, operation and maintenance of the Project will maintain and protect applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the project complies with the following PADEP water quality permitting programs, criteria and conditions established pursuant to Pennsylvania law:

1. Erosion and Sediment Control and Stormwater Management—All projects proposing earth disturbance must implement best management practices (BMPs) to protect and maintain water quality pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1–691.1001) and Storm Water Management Act (32 P.S. §§ 680.1–680.17), 25 Pa. Code Chapter 102 (relating to erosion and sediment control), and all other applicable regulations. Applicant shall obtain and comply with a National Pollutant Discharge Elimination System (NPDES) Permit for discharges of stormwater associated with construction activities as required in 25 Pa. Code § 102.5.

2. Water Obstruction and Encroachment Permits—Applicant shall obtain and comply with a Water Obstruction and Encroachment Permit(s) for the construction, operation and maintenance of all stream and wetland crossings associated with the Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27), and Flood Plain Management Act (32 P.S. §§ 679.101–679.601), 25 Pa. Code Chapter 105 (relating to dam safety and waterway management), 25 Pa. Code Chapter 106 (relating to floodplain management), and all other applicable regulations.

3. Other Water Quality Requirements—Applicant shall obtain any other permits, authorizations or approvals required to construct, operate, and maintain the Project from any interstate or international agency as required by an interstate compact or international agreement that has established water quality standards applicable to surface waters of this Commonwealth, including wetlands.

4. Water Quality Monitoring—PADEP retains the right to specify additional studies or monitoring to ensure that water quality in the receiving waters associated with the

Project is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. Operation—At all times, Applicant shall properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) installed to achieve compliance with the terms and conditions of this SWQC and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. Inspection—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP or the delegated County Conservation District to determine compliance with this SWQC, including all permits, authorizations or approvals issued to ensure the project shall maintain and protect state water quality standards as required by this SWQC. The Applicant shall provide a copy of this SWQC to an authorized representative conducting an inspection of the Project.

7. Transfer of Projects—If Applicant intends to transfer any legal or equitable interest in the Project or any portion(s) thereof, the Applicant shall provide a copy of this SWQC and copies of any permits, authorizations or approvals obtained to comply with the SWQC upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the appropriate PADEP Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owners containing a specific date for transfer of responsibility, coverage, and liability under the SWQC and any permits, authorizations and approvals obtained to comply with the SWQC. The new owner shall submit to PADEP a new application form for the SWQC and any permits, authorizations and approvals required to comply with the SWQC signed by the new owner.

8. Correspondence—All correspondence with and submittals to PADEP concerning this SWQC shall be addressed to:

Department of Environmental Protection
Regional Permit Coordination Office
Domenic Rocco, PE, Director
400 Market Street, Harrisburg, PA 17101
RA-EPREGIONALPERMIT@pa.gov

9. Reservation of Rights—PADEP may modify, suspend or revoke this SWQC if (i) PADEP becomes aware of new facts about the Project that warrant such action; or (ii)

PADEP determines that the Applicant has not complied with the terms and conditions of this SWQC. PADEP may require additional measures to achieve compliance with any applicable law or regulation.

10. Other Laws—Nothing in this SWQC shall be construed to preclude the institution of any legal action or to relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable law or regulation.

11. Severability—The provisions of this SWQC are severable and should any provision of this SWQC be declared invalid or unenforceable, the remainder of the SWQC shall not be affected thereby.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

Important legal rights are at stake. You should show this document 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 at 717-787-3483 for more information. You do not need a lawyer to file a notice of appeal with the board.

If you want to challenge this action, your appeal must be filed with and received by the board within 30 days of receipt of notice of this action.

[Pa.B. Doc. No. 23-638. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. The grant awards are

predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

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

Act 101, Section 901 Planning Grant

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

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-639. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Water Resources Advisory Committee Meeting Cancellation and Location Changes

Meeting Cancellation

The May 18, 2023, meeting of the Water Resources Advisory Committee (Committee) is canceled. The next meeting of the Committee is scheduled for Thursday, July 20, 2023, beginning at 9:30 a.m.

Meeting Location Changes

The July 20, 2023, and November 16, 2023, meetings of the Committee will begin at 9:30 a.m. in Susquehanna Rooms A and B, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA. The September 21, 2023, meeting will begin at 9:30 a.m. in the Susquehanna Room, Fish and Boat Commission, Headquarters, 1600 Elmerton Avenue, Harrisburg. Both meetings were previously scheduled to be held in the Rachel Carson State Office Building in Harrisburg. The meetings are being relocated to better accommodate public attendance and involvement.

Individuals may attend Committee meetings 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 (select "Public Participation," then "Advisory Committees," then "Water," then "Water Resources 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 Bob Haines at robhaines@pa.gov or (717) 787-7565.

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.

RICHARD NEGRIN,
Acting Secretary

[Pa.B. Doc. No. 23-640. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 29, 51 and 551—571 (relating to miscellaneous health provisions; general information; and ambulatory surgical facilities).

Facility Name	Regulation
AHN North Fayette Ambulatory Surgery Center	28 Pa. Code § 569.35(7) (relating to general safety precautions)
The Eye Surgery Center	28 Pa. Code § 551.3 (relating to definitions)
Laurel Surgical Center	28 Pa. Code § 553.31(a) (relating to administrative responsibilities)

The following ASF has filed a request for exception under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to *Guidelines for Design and Construction of Hospitals and of Outpatient Facilities*, as published by the Facility Guidelines Institute (*FGI Guidelines*). The following list includes the citation to the section of the *FGI Guidelines* for which the hospital is seeking an exception and the year of publication.

<i>Facility Name</i>	<i>Guidelines Section and relating to</i>	<i>Yr¹</i>
AHN North Fayette Ambulatory Surgery Center	2.1-3.2.2.1(1)(a)(ii) general	18-O
	2.1-3.2.3.7(2)(a)(i) other design requirements	18-O
	2.1-3.9.4.1(2) and (3) staff changing area	18-O
	2.1-4.1.2.2(1)(a) and (b) laboratory workstation(s)	18-O

¹ 2018 Year FGI Regulations were split into 2 books; *Hospitals, and Outpatient Facilities* as indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-641. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from April 1, 2023, through April 30, 2023. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department’s decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding Home Health agencies should be directed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Allegheny Health Network Surgery Center—Bethel Park, LLC	§ 567.53(1) (relating to sterilization control)	04/25/2023	Granted w/Conditions
Cedar Crest Surgery Center, LLC	§ 569.35(7) (relating to general safety precautions)	04/13/2023	Granted w/Conditions
East Norriton Surgical Center, LLC	§ 569.35(7)	04/13/2023	Granted w/Conditions
RMA of Philadelphia Surgical Center, LLC	§ 569.35(7)	04/24/2023	Granted w/Conditions

Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
The Children’s Hospital of Philadelphia	§ 153.1(a) (relating to minimum standards) 2.2-2.6.1.2(3) location	04/20/2023	Granted w/Conditions
	§ 153.1(a) 2.2-2.6.8.12 soiled workroom or soiled holding room	04/20/2023	Granted
	§ 153.1(a) 2.2-2.9.10.1(2) family and visitor lounge	04/20/2023	Granted

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 153.1(a) 2.2-2.9.2.2(3)(a) space requirements	04/20/2023	Granted
	§ 153.1(a) 2.2-2.9.8.12 soiled workroom or soiled holding room	04/20/2023	Granted
	§ 153.1(a) 2.2-2.9.8.14(1) and (2) environmental services room	04/20/2023	Granted
	§ 153.1(a) 2.2-2.9.9.1 staff lounge, storage facilities, and toilet	04/20/2023	Granted w/Conditions
	§ 153.1(a) 2.2-3.2.2.2(1) space requirements	03/22/2023	Granted
Grand View Health	§ 107.5(b)(1)—(5) (relating to membership appointment and reappointment)	04/24/2023	Granted w/Conditions
Grove City Hospital	§ 153.1(a) 2.1-3.4.1.4 number of patient care stations	04/20/2023	Granted
	§ 153.1(a) 2.2-3.5.2.1(1) general	04/24/2023	Granted w/Conditions
Jefferson Health—Northeast	§ 153.1(a) 2.1-3.2.2(2)(a)(i) and (ii) single-patient exam/observation room	04/24/2023	Granted
Lehigh Valley Hospital—Pocono	§ 153.1(a) supporting service areas—treatment rooms (page 77)	04/13/2023	Granted
Penn Highlands Brookville	§ 107.26(b)(3) (relating to additional committees)	04/13/2023	Granted w/Conditions
	§ 107.41 (relating to continuing education)	04/13/2023	Granted
	§ 145.1 (relating to principle)	04/13/2023	Granted
Penn Highlands Connellsville	§ 107.26(b)(2)	04/13/2023	Granted w/Conditions
	§ 145.1	04/13/2023	Granted
Penn Highlands Dubois	§ 107.26(b)(3)	04/13/2023	Granted w/Conditions
	§ 107.41	04/13/2023	Granted
	§ 153.1(a) 2.1-3.8.8.2(1)(a)(iii) work areas for preparing, dispensing and administering medications	04/13/2023	Granted w/Conditions
	§ 153.1(a) 2.1-8.4.3.2(2) handwashing station sinks	04/13/2023	Granted
	§ 153.1(a) 2.1-8.4.3.2(5) handwashing station sinks	04/13/2023	Granted w/Conditions
	§ 153.1(a) 2.2-2.5.2.2(2)(b) space requirements	04/13/2023	Granted w/Conditions
Penn Highlands Elk	§ 107.26(b)(3)	04/13/2023	Granted w/Conditions
	§ 107.41	04/13/2023	Granted
Penn Highlands Huntingdon	§ 107.26(b)(3)	04/13/2023	Granted w/Conditions
	§ 107.41	04/13/2023	Granted
	§ 145.1	04/13/2023	Granted
Penn Highlands Mon Valley	§ 107.26(b)(2)	04/13/2023	Granted w/Conditions
Penn Highlands Tyrone	§ 107.26(b)(3)	04/13/2023	Granted w/Conditions
	§ 107.41	04/13/2023	Granted
	§ 145.1	04/13/2023	Granted
Saint Luke's Hospital—Easton Campus	§ 153.1(a) 2.2-3.5.6.2 patient toilet room	04/13/2023	Granted Temporary
Temple University Hospital, Inc.	§ 153.1(a) 2.2-3.4.2.2(2)(a) space requirements	04/24/2023	Granted w/Conditions
Thomas Jefferson University Hospitals, Inc.	§ 153.1(a) 2.1-2.6.1 patient toilet room for individuals of size	04/24/2023	Granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 153.1(a) 2.1-2.7.1.1(3)(b) clearances	04/24/2023	Granted
UPMC Presbyterian Shadyside	§ 153.1(a) 2.1-7.2.2.5(1) windows in patient rooms	04/25/2023	Granted Temporary
Wellspan York Hospital	§ 133.21 (relating to facilities)	04/13/2023	Granted w/Conditions
	§ 133.31(a) (relating to policies and procedures)	04/13/2023	Granted w/Conditions

Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Bradford Manor	§ 201.22(e) and (k) (relating to prevention, control and surveillance of tuberculosis (TB))	04/10/2023	Granted
Edinboro Manor	§ 201.22(e) and (k)	04/17/2023	Granted
Fairview Manor	§ 201.22(e) and (k)	04/03/2023	Granted
Mulberry Healthcare and Rehabilitation Center	§ 201.3 (relating to definitions)	04/24/2023	Granted
	§ 211.9(g) (relating to pharmacy services)	04/24/2023	Granted
Warren Manor	§ 201.22(e) and (k)	04/03/2023	Granted

Home Health

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Andventure, LLC (Chambersburg)	§ 601.6 (relating to definitions); specifically the definition of home health aide	04/19/2023	Granted
Andventure, LLC (Lancaster)	§ 601.6	04/19/2023	Granted
Andventure, LLC (State College)	§ 601.6	04/19/2023	Granted
Care Unlimited, Inc. (Dubois)	§ 601.6	04/19/2023	Granted
Care Unlimited, Inc. (Erie)	§ 601.6	04/19/2023	Granted
Care Unlimited, Inc. (Wexford)	§ 601.6	04/19/2023	Granted
Epic Health Services, Inc.	§ 601.6	04/19/2023	Granted
Epic Health Services (PA), LLC (Bala Cynwyd)	§ 601.6	04/28/2023	Granted
Epic Health Services (PA), LLC (Blue Bell)	§ 601.6	04/19/2023	Granted
Epic Health Services (PA), LLC (Exton)	§ 601.6	04/19/2023	Granted
Jefferson Health at Home by Bayada	§ 601.6	04/26/2023	Granted
	§ 611.51(a)(1) (relating to hiring or rostering of direct care workers)	04/26/2023	Granted
Loving Care Agency, Inc. (Allentown)	§ 601.6	04/28/2023	Granted
Loving Care Agency, Inc. (East Stroudsburg)	§ 601.6	04/19/2023	Granted
Loving Care Agency, Inc. (Trevose)	§ 601.6	04/19/2023	Granted
Pediatrics Healthcare, LLC	§ 601.6	04/28/2023	Granted
Pediatric Services of America, LLC (Harrisburg)	§ 601.6	04/19/2023	Granted
Pediatric Services of America, LLC (Kane)	§ 601.6	04/19/2023	Granted
Pediatric Services of America, LLC (Media)	§ 601.6	04/19/2023	Granted
Pediatric Services of America, LLC (Olyphant)	§ 601.6	04/19/2023	Granted
Pediatric Services of America, LLC (Pittsburgh)	§ 601.6	04/19/2023	Granted
Pediatric Services of America, LLC (Williamsport)	§ 601.6	04/19/2023	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-642. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Conemaugh Meyersdale Medical Center	28 Pa. Code § 103.31 (relating to the chief executive officer)
	28 Pa. Code § 109.2(b) (relating to director of nursing services)
Forbes Hospital	28 Pa. Code § 103.31
Penn Highlands Huntingdon	28 Pa. Code § 107.61 (relating to written orders)
Penn Highlands Tyrone	28 Pa. Code § 107.61
Saint Vincent Hospital	28 Pa. Code § 103.31

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition* or the *Guidelines for Design and Construction of Hospitals—2022 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2022 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr^{1,2}</i>
Abington Hospital	2.1-2.8.8.2(1)(b)(ii) work areas for preparing, dispensing and administering medications	22
	2.1-7.2.2.3(2)(a) doors and door hardware	22
	2.1-7.2.2.5(1) windows in patient rooms	22
	2.2-2.2.2.5 handwashing stations	22
Geisinger Wyoming Valley Medical Center	2.2-3.5.2.5(1)(b) system component room	22
Riddle Memorial Hospital	1.2-6.1.3 design criteria for acoustic surfaces	18
The Robert Packer Hospital	2.2-3.5.2.2(1)(b)(i) and (ii) space requirements	22

¹ 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

² 2022 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or

hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-643. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Moravian Hall Square Health and Wellness Center
175 West North Street
Nazareth, PA 18064
FAC ID # 395752

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 205.6(a) (relating to function of building):

Cedar Haven Healthcare Center
590 South 5th Avenue
Lebanon, PA 17042
FAC ID # 290702

Shenango Presbyterian SeniorCare
238 South Market Street
New Willington, PA 16142
FAC ID # 191102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(a) (relating to resident bedrooms):

The Glen at Willow Valley
675 Willow Valley Square
Lancaster, PA 17602
FAC ID # 395956

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(e) (relating to electric requirements for existing and new construction):

Tulip Special Care, LLC
3300 Henry Avenue, 7th Floor
Philadelphia, PA 19129
FAC ID # 24780201

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

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or

hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-644. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); 2023 WIC Public Comment Sessions

In accordance with 7 CFR 246.4(b) (relating to State plan), the Department of Health (Department), Bureau of Women, Infants and Children has scheduled the following three public comment sessions to provide the general public an opportunity to comment on the development of the 2024 State Plan for the Pennsylvania Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program).

The Department values the public's feedback and suggestions on improving the WIC Program and encourages the public to participate.

The 2023 WIC public comment sessions will be held in person, virtually and telephonically from 10 a.m. to 3 p.m. as follows:

1. Monday, May 22, 2023, from 10 a.m. to 3 p.m., Adagio Health, 323 Sunset Drive, Suite 1, Butler, PA 16001.
2. Tuesday, May 23, 2023, from 10 a.m. to 3 p.m., Chester County Government Services Center, 601 Westtown Road, West Chester, PA 19380.
3. Thursday, May 25, 2023, from 10 a.m. to 3 p.m., Hamilton Health Center, 110 South 17th Street, Harrisburg, PA 17104.

Individuals can join these public comment sessions by calling (267) 332-8737. The conference ID is 793 153 672#.

Individuals can join by means of Microsoft Teams at <https://msteams.link/YWV7>.

These public comment sessions are just for the public to share their opinion with the Department. The Department will not be presenting any material.

The sessions will be recorded. Individuals choosing to participate are consenting to being recorded.

These public comment sessions are subject to cancellation without notice.

For anyone unable to attend a session, the Department will accept comments by text message or by phone call at (412) 418-4366, ra-wicprogram@pa.gov or at Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7th Floor West, Health and Welfare

Building, Harrisburg, PA 17120. Comments must be submitted no later than May 31, 2023.

For any questions call (717) 783-1289 or e-mail ra-wicprogram@pa.gov.

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille) should contact the Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

USDA Nondiscrimination Statement:

In accordance with Federal civil rights law and the USDA civil rights regulations and policies, the USDA, its agencies, offices and employees, and institutions participating in or administering the USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by the USDA.

Persons with disabilities who require alternative means of communication for program information (for example, Braille, large print, audiotape, American Sign Language) should contact the State or local agency where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact the USDA through the Federal Relay Service at (800) 877-8339. Program information may be made available in languages other than English.

To file a program complaint of discrimination, a complainant should complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office or by writing a letter addressed to the USDA and provide in the letter all of the information requested in the form. Individuals should request a copy of the complaint form by calling (866) 632-9992. The completed form or letter must be submitted to the USDA by mail to the United States Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, fax (202) 690-7442, program.intake@usda.gov.

This institution is an equal opportunity provider.

DR. DEBRA L. BOGEN,
Acting Secretary

[Pa.B. Doc. No. 23-645. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 10 Fold Instant Lottery Game 1642

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 10 Fold ("10 Fold"). The game number is PA-1642.

2. *Price:* The price of a 10 Fold instant lottery game ticket is \$1.

3. *Play symbols:* Each 10 Fold instant lottery game ticket will contain one play area. The play/prize symbols and their captions, located in the play area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$300 (THR HUN), \$5,000 (FIV THO) and a Clothes Pin (10TIMES) symbol.

4. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$10, \$20, \$30, \$50, \$100, \$200, \$300 and \$5,000. A player can win up to three times on a ticket. 10 Fold contains a feature that can multiply certain prizes. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate odds).

5. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the 10 Fold instant lottery game.

6. *Determination of prize winners:*

(a) Holders of tickets upon which three matching play/prize symbols of \$5,000 (FIV THO) appear in the play area, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which three matching play/prize symbols of \$300 (THR HUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$300.

(c) Holders of tickets upon which three matching play/prize symbols of \$30⁰⁰ (THIRTY) and a Clothes Pin (10TIMES) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets upon which three matching play/prize symbols of \$200 (TWO HUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which three matching play/prize symbols of \$20⁰⁰ (TWENTY) and a Clothes Pin (10TIMES) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which three matching play/prize symbols of \$100 (ONE HUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which three matching play/prize symbols of \$10⁰⁰ (TEN DOL) and a Clothes Pin (10TIMES) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which three matching play/prize symbols of \$50⁰⁰ (FIFTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which three matching play/prize symbols of \$5⁰⁰ (FIV DOL) and a Clothes Pin (10TIMES) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which three matching play/prize symbols of \$30⁰⁰ (THIRTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$30.

(k) Holders of tickets upon which three matching play/prize symbols of \$3⁰⁰ (THR DOL) and a Clothes Pin (10TIMES) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$30.

(l) Holders of tickets upon which three matching play/prize symbols of \$20.⁰⁰ (TWENTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which three matching play/prize symbols of \$2.⁰⁰ (TWO DOL) and a Clothes Pin (10TIMES) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which three matching play/prize symbols of \$10.⁰⁰ (TEN DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which three matching play/prize symbols of \$1.⁰⁰ (ONE DOL) and a Clothes Pin (10TIMES) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which three matching play/prize symbols of \$5.⁰⁰ (FIV DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which three matching play/prize symbols of \$3.⁰⁰ (THR DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$3.

(r) Holders of tickets upon which three matching play/prize symbols of \$2.⁰⁰ (TWO DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets upon which three matching FREE (TICKET) play symbols appear in the play area, on a single ticket, shall be entitled to a prize of one 10 Fold instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

7. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal 3 Like Amounts, Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
3—FREEs	FREE \$1 TICKET	9.09	924,000
3—\$2s	\$2	23.26	361,200
3—\$3s	\$3	35.71	235,200
3—\$5s	\$5	83.33	100,800
(3—\$1s) w/ CLOTHES PIN	\$10	62.5	134,400
3—\$10s	\$10	1,000	8,400
(3—\$2s) w/ CLOTHES PIN	\$20	600	14,000
3—\$20s	\$20	4,000	2,100
((3—\$2s) + (3—\$1s)) w/ CLOTHES PIN	\$30	1,200	7,000
3—\$30s	\$30	4,000	2,100
((3—\$3s) + (3—\$2s)) w/ CLOTHES PIN	\$50	3,429	2,450
(3—\$5s) w/ CLOTHES PIN	\$50	4,000	2,100
3—\$50s	\$50	24,000	350
(3—\$10s) w/ CLOTHES PIN	\$100	4,000	2,100
3—\$100s	\$100	24,000	350
(3—\$20s) w/ CLOTHES PIN	\$200	30,000	280
3—\$200s	\$200	120,000	70
((3—\$20s) + (3—\$10s)) w/ CLOTHES PIN	\$300	420,000	20
(3—\$30s) w/ CLOTHES PIN	\$300	420,000	20
3—\$300s	\$300	840,000	10
3—\$5,000s	\$5,000	840,000	10

If 3 like amounts are revealed AND a “Clothes Pin” (10TIMES) symbol appears, win 10 TIMES that amount!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell 10 Fold instant lottery game tickets.

9. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum

payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after

the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

10. *Unclaimed prize money:* For a period of 1 year from the announced close of 10 Fold, prize money from winning 10 Fold instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the 10 Fold instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *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 10 Fold or through normal communications methods.

PATRICK BROWNE,
Acting Secretary

[Pa.B. Doc. No. 23-646. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$200,000 Crossword Gold Instant Lottery Game 1640

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$200,000 Crossword Gold (“\$200,000 Crossword Gold”). The game number is PA-1640.

2. *Price:* The price of a \$200,000 Crossword Gold instant lottery game ticket is \$5.

3. *Play symbols:* Each \$200,000 Crossword Gold instant lottery game ticket will feature a “YOUR LETTERS” area, two crossword puzzle play grids, known as “GRID 1,” and “GRID 2,” respectively, and a “GOLDEN WORD” area. Each crossword “GRID” is played separately. The “GOLDEN WORD” area is played separately. The play symbols, located in the “YOUR LETTERS” area and the “GOLDEN WORD” area, are: the letters A through and including Z. The play symbols, located in “GRID 1” and “GRID 2,” are: the letters A through and including Z and a Gold Bar symbol.

4. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$30, \$50, \$100, \$200, \$500, \$1,000, \$5,000, \$10,000 and \$200,000. The prize that can be won in the “GOLDEN WORD” area is \$10. A player can win up to three times on a ticket. \$200,000 Crossword Gold contains a feature that can multiply certain prizes. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate odds).

5. *Approximate number of tickets printed for the game:* Approximately 13,200,000 tickets will be printed for the \$200,000 Crossword Gold instant lottery game.

6. *Determination of prize winners:*

(a) Holders of tickets upon which the player completely matches ten entire words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$200,000.

(b) Holders of tickets where the player completely matches ten entire words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets where the player completely matches nine entire words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets where the player completely matches nine entire words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets where the player completely matches eight entire words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets where the player completely matches seven entire words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets where the player completely matches seven entire words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets where the player completely matches six entire words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets where the player completely matches six entire words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$250.

(j) Holders of tickets where the player completely matches five entire words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets where the player completely matches eight entire words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets where the player completely matches five entire words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$150.

(m) Holders of tickets where the player completely matches seven entire words in “GRID 1,” using only the

letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets where the player completely matches six entire words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets where the player completely matches four entire words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets where the player completely matches three entire words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$75.

(q) Holders of tickets where the player completely matches six entire words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets where the player completely matches five entire words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets where the player completely matches three entire words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets where the player completely matches five entire words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$30.

(u) Holders of tickets where the player completely matches four entire words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$25.

(v) Holders of tickets where the player completely matches two entire words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$25.

(w) Holders of tickets where the player completely matches two entire words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, and upon which a Gold Bar symbol appears in any one of the matching words, on a single ticket, shall be entitled to a prize of \$25.

(x) Holders of tickets where the player completely matches four entire words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$20.

(y) Holders of tickets where the player completely matches three entire words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$15.

(z) Holders of tickets upon which the player completely matches the entire word in the "GOLDEN WORD" area, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10.

(aa) Holders of tickets where the player completely matches three entire words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10.

(bb) Holders of tickets where the player completely matches two entire words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$5.

(cc) Holders of tickets where the player completely matches two entire words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$5.

7. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>"GRID 1" Win With:</i>	<i>"GRID 2" Win With:</i>	<i>"GOLDEN WORD" Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
	2 WORDS		\$5	18.18	726,000
2 WORDS			\$5	18.18	726,000
2 WORDS	2 WORDS		\$10	85.71	154,000
3 WORDS			\$10	60	220,000
	2 WORDS	\$10 w/ MATCH	\$15	150	88,000
2 WORDS		\$10 w/ MATCH	\$15	150	88,000
3 WORDS	2 WORDS		\$15	300	44,000
	3 WORDS		\$15	300	44,000
2 WORDS	3 WORDS		\$20	150	88,000
2 WORDS	2 WORDS	\$10 w/ MATCH	\$20	150	88,000
4 WORDS			\$20	200	66,000
3 WORDS	2 WORDS	\$10 w/ MATCH	\$25	300	44,000
3 WORDS	3 WORDS		\$25	300	44,000
4 WORDS	2 WORDS		\$25	300	44,000

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<i>"GRID 1" Win With:</i>	<i>"GRID 2" Win With:</i>	<i>"GOLDEN WORD" Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
	2 WORDS w/ GOLD BAR		\$25	85.71	154,000
2 WORDS w/ GOLD BAR			\$25	200	66,000
	4 WORDS		\$25	300	44,000
2 WORDS w/ GOLD BAR	2 WORDS		\$30	600	22,000
2 WORDS	2 WORDS w/ GOLD BAR		\$30	600	22,000
2 WORDS	3 WORDS	\$10 w/ MATCH	\$30	600	22,000
2 WORDS	4 WORDS		\$30	600	22,000
5 WORDS			\$30	600	22,000
2 WORDS w/ GOLD BAR	2 WORDS w/ GOLD BAR		\$50	600	22,000
2 WORDS w/ GOLD BAR	3 WORDS	\$10 w/ MATCH	\$50	300	44,000
3 WORDS w/ GOLD BAR			\$50	600	22,000
	5 WORDS		\$50	600	22,000
6 WORDS			\$50	600	22,000
2 WORDS w/ GOLD BAR	4 WORDS	\$10 w/ MATCH	\$60	1,714	7,700
3 WORDS w/ GOLD BAR		\$10 w/ MATCH	\$60	1,714	7,700
3 WORDS	5 WORDS		\$60	1,714	7,700
3 WORDS w/ GOLD BAR	2 WORDS w/ GOLD BAR		\$75	3,000	4,400
6 WORDS	3 WORDS	\$10 w/ MATCH	\$75	4,000	3,300
6 WORDS	4 WORDS		\$75	12,000	1,100
	3 WORDS w/ GOLD BAR		\$75	3,000	4,400
3 WORDS w/ GOLD BAR	5 WORDS		\$100	3,000	4,400
6 WORDS	5 WORDS		\$100	3,000	4,400
4 WORDS w/ GOLD BAR			\$100	3,000	4,400
	6 WORDS		\$100	3,000	4,400
7 WORDS			\$100	3,429	3,850
4 WORDS w/ GOLD BAR	6 WORDS		\$200	24,000	550
5 WORDS w/ GOLD BAR	5 WORDS		\$200	12,000	1,100
7 WORDS	6 WORDS		\$200	12,000	1,100
8 WORDS			\$200	24,000	550
6 WORDS w/ GOLD BAR	5 WORDS w/ GOLD BAR		\$500	120,000	110
	6 WORDS w/ GOLD BAR		\$500	120,000	110
7 WORDS w/ GOLD BAR			\$500	120,000	110
	7 WORDS		\$500	120,000	110
	8 WORDS		\$1,000	660,000	20
9 WORDS			\$1,000	660,000	20
	9 WORDS		\$5,000	1,320,000	10
10 WORDS			\$10,000	1,320,000	10
	10 WORDS		\$200,000	1,320,000	10

Scratch the YOUR LETTERS to reveal 18 letters. Scratch each matching letter every time it is found in either Crossword GRID. Each letter's square, when scratched gently, will turn white.

When you have matched the letters of two (2) or more entire words in either Crossword GRID, win the corresponding PRIZE shown in the PRIZE KEY for that Crossword GRID. Only the highest PRIZE won in either Crossword GRID will be paid.

Each Crossword GRID is played separately.

GOLD BAR MULTIPLIER: Scratch each “Gold Bar” symbol that appears in either Crossword GRID. Each “Gold Bar” symbol is a FREE spot. When a “Gold Bar” symbol appears in any winning combination of words, win 5 TIMES the corresponding PRIZE shown in the PRIZE KEY for that Crossword GRID!

GOLDEN WORD: Using the YOUR LETTERS, completely match all the letters of the GOLDEN WORD to win \$10 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$200,000 Crossword Gold instant lottery game tickets.

9. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

10. *Unclaimed prize money:* For a period of 1 year from the announced close of \$200,000 Crossword Gold, prize money from winning \$200,000 Crossword Gold instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$200,000 Crossword Gold instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *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

\$200,000 Crossword Gold or through normal communication methods.

PATRICK BROWNE,
Acting Secretary

[Pa.B. Doc. No. 23-647. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania THE GAME OF LIFE™ Instant Lottery Game 1639

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania THE GAME OF LIFE™ (“THE GAME OF LIFE™”). The game number is PA-1639.

2. *Price:* The price of a THE GAME OF LIFE™ instant lottery game ticket is \$10.

3. *Play symbols:* Each THE GAME OF LIFE™ instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, which includes three “YOUR NUMBERS PAYDAY” spots, and a “PAYDAY” area. The three “YOUR NUMBERS PAYDAY” spots can win a prize two ways, as described in section 8 (relating to determination of prize winners). The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, including the three “YOUR NUMBERS PAYDAY” spots, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), Car (CAR) symbol and a LIFE (LIFE) symbol. The play symbols and their captions, located in the “PAYDAY” area, are: Wallet (TRYAGAIN) symbol, Ring (TRYAGAIN) symbol, Stack of Coins (TRYAGAIN) symbol, Piggy Bank (TRYAGAIN) symbol, Vault (TRYAGAIN) symbol and a Money (MONEY) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$1,000/WK (FOR LIFE).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$1,000 a week for life as described below in section 8(a). A player can win up to 18 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct one THE GAME OF LIFE™ Second-Chance Drawing for which non-winning THE GAME OF LIFE™ instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate number of tickets printed for the game:* Approximately 11,400,000 tickets will be printed for THE GAME OF LIFE™ instant lottery game.

8. *Determination of prize winners:*

(a) *Key Number Match:* Players can win a prize by matching any “WINNING NUMBERS” play symbol to any “YOUR NUMBERS” play symbol, including the play symbols within the “YOUR NUMBERS PAYDAY” spots, and can win a prize automatically by revealing a Car (CAR) symbol or a LIFE (LIFE) symbol. If that “YOUR NUMBERS” spot is also a “YOUR NUMBERS PAYDAY” spot, players can also win the same prize by revealing a Money (MONEY) symbol in the “PAYDAY” area, as described in section 8(b), below.

(1) Holders of tickets upon which a LIFE (LIFE) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000/WK (FOR LIFE) appears in the “prize” area under that LIFE (LIFE) symbol, on a single ticket, shall be entitled to the applicable prize as described below.

(i) *Annuity option:* If the annuity option is selected, the winner shall be entitled to \$1,000 a week paid over the applicable Measuring Life. A Measuring Life is (A) the natural life of the individual who claims the prize if the individual is 18 years of age or older at the time the prize claim is submitted; or (B) a fixed term of 20 years if the prize is claimed by: an individual who is less than 18 years old at the time the prize claim is submitted; a person other than an individual; or more than one person for the same winning ticket. If the applicable Measuring Life is the natural life of the individual who claims the prize, the winner will be entitled to \$1,000 a week for their natural life, paid in annual installments of \$52,000, less required federal and state income tax withholding, with the first 20 payments guaranteed. If the applicable Measuring Life is a fixed term of 20 years, the winner will be entitled to \$1,000 a week for 20 years payable in annual installments of \$52,000, less required federal and state income tax withholding, with all 20 payments guaranteed. If a winner who selected the annuity option dies before receiving any guaranteed payments, any remaining guaranteed payment will be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner).

(ii) *Lump-sum option:* If the lump-sum option is selected, the winner will receive a one-time, lump-sum payment of \$1,040,000, less required federal and state income tax withholding.

(2) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000

(FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(3) 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.

(4) Holders of tickets upon which a Car (CAR) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(5) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(6) Holders of tickets upon which a Car (CAR) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$500.

(7) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(8) Holders of tickets upon which a Car (CAR) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$200.

(9) 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.

(10) Holders of tickets upon which a Car (CAR) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$100.

(11) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(12) Holders of tickets upon which a Car (CAR) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$50.

(13) 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 \$40⁰⁰ (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.

(14) Holders of tickets upon which a Car (CAR) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$40.

(15) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (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.

(16) Holders of tickets upon which a Car (CAR) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(17) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (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.

(18) Holders of tickets upon which a Car (CAR) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$10.

(b) *PAYDAY Area:* Players can win each of the prizes under each of the three "YOUR NUMBERS PAYDAY" spots by revealing a Money (MONEY) symbol in the "PAYDAY" area. If the play symbol in any "YOUR NUMBERS PAYDAY" spot also matches a "WINNING NUMBER," players can win the same prize by a Key Number Match, as described in section 8(a), above.

(1) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$1,000 (ONE THO) appears in all three of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$3,000.

(2) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$200 (TWO HUN) appears in two of the "YOUR NUMBERS PAYDAY" spots and a "prize" symbol of \$100 (ONE HUN) appears in one of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$100 (ONE HUN) appears in all three of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$300.

(4) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "YOUR NUMBERS PAYDAY" spots and a "prize" symbol of \$100 (ONE HUN) appears in one of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$200.

(5) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$50⁰⁰ appears in all three of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$150.

(6) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the "YOUR NUMBERS PAYDAY" spots, a "prize" symbol of \$40⁰⁰ (FORTY) appears in one of the "YOUR NUMBERS PAYDAY" spots and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$110.

(7) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the "YOUR NUMBERS PAYDAY" spots and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$100.

(8) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the "YOUR NUMBERS PAYDAY" spots, a "prize" symbol of \$40⁰⁰ (FORTY) appears in one of the "YOUR NUMBERS PAYDAY" spots and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$100.

(9) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$20⁰⁰ (TWENTY) appears in all three of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$60.

(10) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the "YOUR NUMBERS PAYDAY" spots and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$50.

(11) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "YOUR NUMBERS PAYDAY" spots and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$40.

(12) Holders of tickets upon which a Money (MONEY) symbol appears in the "PAYDAY" area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all three of the "YOUR NUMBERS PAYDAY" spots, on a single ticket, shall be entitled to a prize of \$30.

9. *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>"PAYDAY":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 11,400,000 Tickets:</i>
\$10 w/ CAR		\$10	17.65	646,000
\$10		\$10	17.65	646,000
\$10 × 2		\$20	75	152,000
(\$10 w/ CAR) × 2		\$20	42.86	266,000
\$20 w/ CAR		\$20	40	285,000
\$20		\$20	75	152,000
\$20 × 2		\$40	600	19,000
\$10	MONEY w/ (\$10 × 3)	\$40	300	38,000
\$10 w/ CAR	MONEY w/ (\$10 × 3)	\$40	200	57,000
	MONEY w/ ((\$10 × 2) + \$20)	\$40	300	38,000
\$40 w/ CAR		\$40	150	76,000
\$40		\$40	600	19,000
\$10 × 5		\$50	600	19,000
(((\$10 w/ CAR) × 2) + (\$10 × 3))		\$50	300	38,000
(((\$10 w/ CAR) × 2))	MONEY w/ (\$10 × 3)	\$50	300	38,000
\$20 w/ CAR	MONEY w/ (\$10 × 3)	\$50	150	76,000
	MONEY w/ ((\$20 × 2) + \$10)	\$50	200	57,000
\$50 w/ CAR		\$50	200	57,000
\$50		\$50	600	19,000
\$20 × 5		\$100	600	19,000
(((\$10 w/ CAR) × 3) + (\$10 × 2) + \$20)	MONEY w/ (\$10 × 3)	\$100	300	38,000
(\$20 w/ CAR) + (\$10 w/ CAR) + \$10	MONEY w/ (\$20 × 3)	\$100	600	19,000
	MONEY w/ (\$50 + \$40 + \$10)	\$100	600	19,000
\$100 w/ CAR		\$100	600	19,000
\$100		\$100	600	19,000
\$20 × 10		\$200	6,000	1,900
\$100 × 2		\$200	6,000	1,900
(\$20 × 5) + (\$10 × 6) + \$40		\$200	6,000	1,900
\$20 × 5	MONEY w/ ((\$40 × 2) + \$20)	\$200	6,000	1,900
(\$20 × 2) + (\$10 × 13)	MONEY w/ (\$10 × 3)	\$200	2,000	5,700
(((\$10 w/ CAR) × 5) + (\$20 × 2) + (\$10 × 8))	MONEY w/ (\$10 × 3)	\$200	2,400	4,750
(\$10 w/ CAR) × 10	MONEY w/ (\$50 + \$40 + \$10)	\$200	2,400	4,750
	MONEY w/ ((\$50 × 2) + \$100)	\$200	3,000	3,800
\$200 w/ CAR		\$200	12,000	950
\$200		\$200	12,000	950
\$50 × 10		\$500	24,000	475
\$100 × 5		\$500	24,000	475
(\$50 × 5) + (\$10 × 10)	MONEY w/ (\$50 × 3)	\$500	12,000	950
(((\$40 w/ CAR) × 5) + (\$20 × 5) + (\$10 × 4) + \$50)	MONEY w/ (\$50 + \$40 + \$20)	\$500	12,000	950

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>"PAYDAY":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 11,400,000 Tickets:</i>
$((\$50 \text{ w/ CAR}) \times 2) + ((\$40 \text{ w/ CAR}) \times 5) + (\$20 \times 2) + (\$10 \times 6)$	MONEY w/ $((\$40 \times 2) + \$20)$	\$500	24,000	475
$((\$50 \text{ w/ CAR}) \times 5) + (\$10 \times 10)$	MONEY w/ $(\$50 \times 3)$	\$500	24,000	475
	MONEY w/ $((\$200 \times 2) + \$100)$	\$500	24,000	475
$(\$100 \text{ w/ CAR}) \times 5$		\$500	24,000	475
\$500 w/ CAR		\$500	24,000	475
\$500		\$500	24,000	475
\$100 \times 10		\$1,000	24,000	475
$((\$20 \text{ w/ CAR}) \times 10) + (\$100 \times 5)$	MONEY w/ $(\$100 \times 3)$	\$1,000	24,000	475
$((\$50 \text{ w/ CAR}) \times 10) + (\$50 \times 4) + \$100$	MONEY w/ $((\$50 \times 2) + \$100)$	\$1,000	60,000	190
\$1,000 w/ CAR		\$1,000	60,000	190
\$1,000		\$1,000	120,000	95
$(\$200 \text{ w/ CAR}) \times 10$	MONEY w/ $(\$1,000 \times 3)$	\$5,000	1,140,000	10
\$5,000		\$5,000	1,140,000	10
\$1,000 A WEEK FOR LIFE w/ LIFE SYMBOL		\$1K/WEEK/ LIFE	2,280,000	5

Reveal a "CAR" (CAR) symbol, win prize shown under that symbol automatically.

Reveal a "LIFE" (LIFE) symbol, win \$1,000 A WEEK FOR LIFE!

PAYDAY: Reveal a "MONEY" (MONEY) symbol, win prize shown in each PAYDAY spot in the YOUR NUMBERS area automatically!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing: THE GAME OF LIFE™* Second-Chance Drawing from the Pennsylvania Lottery ("Lottery") for qualifying instant lottery game tickets ("Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1639 THE GAME OF LIFE™ (\$10) lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must have a registered lottery account in order to participate in the Drawing. To create a lottery account, visit <https://www.pailottery.com>. Creating a lottery account is free.

(2) A registered lottery account holder is subject to the iLottery regulations and specifically agrees to be bound by the iLottery terms and conditions located at <https://www.pailottery.com/signup/terms-and-conditions/>, as well as any related policies.

(3) To establish a lottery account, players must provide the following information:

(i) The player's name as it appears on a valid government-issued identification or tax documents;

(ii) The player's date of birth;

(iii) The entire or last four digits of the player's Social Security Number, or comparable equivalent;

(iv) The player's address;

(v) The player's telephone number;

(vi) The player's email address;

(vii) Any other information established by the Lottery to be necessary to verify the age and identity of the player.

(4) An individual may be required to provide additional information or documentation, as set forth in the iLottery terms and conditions, to establish a lottery account or register for iLottery. The information may be used for iLottery registration or to confirm information provided by that individual during the registration process.

(5) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(6) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(7) Only one claimant per entry is allowed.

(8) Entrants must be 18 years of age or older.

(9) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(10) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one THE GAME OF LIFE™ Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. May 14, 2023, through 11:59:59 p.m. July 13, 2023, will be entered into the Drawing tentatively scheduled to be held between July 17, 2023 and July 28, 2023.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery’s publicly accessible web site.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 2, 5 or 10 (“Entry Multiplier Prize”). Some entries, determined at

random, will be awarded the Entry Multiplier Prize. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1639 THE GAME OF LIFE™ (\$10) = ten entries.

(6) Players may review prizes won and their entries for the Drawing via the Drawing’s promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Odds of Winning a 2X Multiplier Are 1 In:</i>	<i>Approximate Odds of Winning a 5X Multiplier Are 1 In:</i>	<i>Approximate Odds of Winning a 10X Multiplier Are 1 In:</i>
PA-1639 THE GAME OF LIFE™	10	3.33	5

(3) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$25,000, less required income tax withholding.

(ii) The second and the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$15,000, less required income tax withholding.

(iii) The fourth and the fifth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The sixth through the eighth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(v) The ninth through the fifty-eighth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player’s lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery’s publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. The Lottery is not responsible for entries not entered due to delays in creating a lottery account or the inability to create a lottery account. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select one entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause that, in the Pennsylvania Lottery’s sole judgment, could corrupt

or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and one replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell THE GAME OF LIFE™ instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall

be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of THE GAME OF LIFE™, prize money from winning THE GAME OF LIFE™ instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of THE GAME OF LIFE™ instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote THE GAME OF LIFE™ or through normal communications methods.

PATRICK BROWNE,
Acting Secretary

[Pa.B. Doc. No. 23-648. Filed for public inspection May 12, 2023, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Win It All Instant Lottery Game 1641

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Win It All (“Win It All”). The game number is PA-1641.

2. *Price:* The price of a Win It All instant lottery game ticket is \$5.

3. *Play symbols:* Each Win It All instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “WIN IT ALL NUMBER” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “WIN IT ALL NUMBER” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV),

13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRT) and a \$50 Bill (WIN50) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$200,000 (TWOHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$200,000. A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 10,800,000 tickets will be printed for the Win It All instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200,000 (TWOHUNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200,000.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$1,000 (ONE THO) appears in two of the “Prize” areas, a prize symbol of \$500 (FIV HUN) appears in four of the “Prize” areas, a prize symbol of \$200 (TWO HUN) appears in four of the “Prize” areas and a prize symbol of \$100 (ONE HUN) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$200 (TWO HUN) appears in three of the “Prize” areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the “Prize” areas and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$200 (TWO HUN) appears in two of the “Prize” areas, a prize symbol of \$100 (ONE HUN) appears in five of the “Prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUM-

BER” play symbol and a prize symbol of \$100 (ONE HUN) appears in eight of the “Prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$200 (TWO HUN) appears in two of the “Prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$100 (ONE HUN) appears in four of the “Prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “Prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in six of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the “Prize” areas and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the “Prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the “Prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the “Prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the “Prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “Prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in six of the “Prize” areas and a prize symbol of \$40⁰⁰ (FORTY) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the “Prize” areas, a prize symbol of \$100 (ONE HUN) appears in one of the “Prize” areas and a

prize symbol of \$50⁰⁰ (FIFTY) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “Prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “Prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in eight of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears in eight of the “Prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the “Prize” areas, a prize symbol of \$40⁰⁰ (FORTY) appears in one of the “Prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰

(FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which a \$50 Bill (WIN50) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under that \$50 Bill (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$40⁰⁰ (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.

(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 \$20⁰⁰ (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.

(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 \$10⁰⁰ (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.

(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 \$5⁰⁰ (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.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5	\$5	9.09	1,188,000
\$5 × 2	\$10	40	270,000
\$10	\$10	27.27	396,000
\$5 × 4	\$20	120	90,000
\$10 × 2	\$20	100	108,000
(\$5 × 2) + \$10	\$20	120	90,000
\$20	\$20	100	108,000
\$5 × 8	\$40	600	18,000
\$10 × 4	\$40	600	18,000
\$20 × 2	\$40	600	18,000
\$40	\$40	600	18,000
\$5 × 10	\$50	600	18,000
(\$20 × 2) + (\$5 × 2)	\$50	600	18,000
\$40 + \$10	\$50	600	18,000
\$50 w/ \$50 BILL	\$50	300	36,000
\$50	\$50	600	18,000
WIN IT ALL MATCH w/ ((\$5 × 10) + \$40 + \$10)	\$100	800	13,500

<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 Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
WIN IT ALL MATCH w/ (($\$10 \times 8$) + ($\5×4))	\$100	800	13,500
WIN IT ALL MATCH w/ (($\$20 \times 2$) + ($\10×2) + ($\$5 \times 8$))	\$100	800	13,500
$\$20 \times 5$	\$100	24,000	450
$\$50 \times 2$	\$100	24,000	450
($\$50$ w/ $\$50$ BILL) + ($\$5 \times 6$) + $\$20$	\$100	6,000	1,800
($\$50$ w/ $\$50$ BILL) + ($\$10 \times 5$)	\$100	6,000	1,800
($\$50$ w/ $\$50$ BILL) $\times 2$	\$100	6,000	1,800
\$100	\$100	24,000	450
WIN IT ALL MATCH w/ (($\$5 \times 10$) + $\$100$ + $\$50$)	\$200	8,000	1,350
WIN IT ALL MATCH w/ (($\$20 \times 5$) + ($\10×6) + $\$40$)	\$200	8,000	1,350
WIN IT ALL MATCH w/ (($\$40 \times 2$) + ($\20×3) + ($\$10 \times 5$) + ($\5×2))	\$200	8,000	1,350
WIN IT ALL MATCH w/ (($\$50 \times 2$) + ($\10×10))	\$200	8,000	1,350
$\$100 \times 2$	\$200	120,000	90
($\$50$ w/ $\$50$ BILL) + ($\$50 \times 2$) + ($\20×2) + $\$10$	\$200	24,000	450
(($\$50$ w/ $\$50$ BILL) $\times 2$) + ($\$10 \times 10$)	\$200	24,000	450
($\$50$ w/ $\$50$ BILL) $\times 4$	\$200	24,000	450
\$200	\$200	120,000	90
WIN IT ALL MATCH w/ (($\$50 \times 2$) + ($\40×10))	\$500	24,000	450
WIN IT ALL MATCH w/ (($\$100 \times 4$) + ($\20×2) + ($\$10 \times 6$))	\$500	24,000	450
WIN IT ALL MATCH w/ (($\$200 \times 2$) + ($\10×10))	\$500	24,000	450
$\$100 \times 5$	\$500	120,000	90
($\$50$ w/ $\$50$ BILL) $\times 10$	\$500	40,000	270
\$500	\$500	120,000	90
WIN IT ALL MATCH w/ (($\$100 \times 8$) + ($\50×4))	\$1,000	60,000	180
WIN IT ALL MATCH w/ (($\$200 \times 2$) + ($\100×5) + ($\$20 \times 5$))	\$1,000	60,000	180
WIN IT ALL MATCH w/ (($\$200 \times 3$) + ($\50×4) + ($\$40 \times 5$))	\$1,000	60,000	180
$\$500 \times 2$	\$1,000	120,000	90
\$1,000	\$1,000	120,000	90
WIN IT ALL MATCH w/ (($\$1,000 \times 2$) + ($\500×4) + ($\$200 \times 4$) + ($\100×2))	\$5,000	1,080,000	10
\$5,000	\$5,000	1,080,000	10
\$200,000	\$200,000	1,080,000	10

Reveal a “\$50 Bill” (WIN50) symbol, win \$50 instantly.

When any of YOUR NUMBERS match the WIN IT ALL NUMBER, win ALL 12 PRIZES shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Win It All instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a

Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not

exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Win It All, prize money from winning Win It All instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Win It All instant lottery game,

the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Win It All or through normal communications methods.

PATRICK BROWNE,
Acting Secretary

[Pa.B. Doc. No. 23-649. Filed for public inspection May 12, 2023, 9:00 a.m.]

FISH AND BOAT COMMISSION

Triploid Grass Carp Permit Application

Under 58 Pa. Code § 71.7 (relating to triploid grass carp), the Fish and Boat Commission (Commission) may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined, consistent with 58 Pa. Code § 71.7(e)(5), to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

Interested persons are invited to submit written comments, objections or suggestions about the notice to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 10 days after publication of this notice in the *Pennsylvania Bulletin*. Comments may also be submitted electronically to RA-pfbcregulations@pa.gov. Electronic comments submitted in any other manner will not be accepted.

The following application to stock triploid grass carp in waters having a surface area of greater than 5 acres is currently undergoing staff review:

<i>Applicant</i>	<i>Water</i>	<i>Location of Water</i>	<i>Description of Water</i>	<i>Nature of Vegetation to be Controlled</i>
Kevin Kolodgie	Kolodgie Pond 41° 9' 30.96" 76° 15' 12.96"	Huntington Township Luzerne County	5.75-acre lake draining to unnamed tributary to Huntington Creek to Fishing Creek to Susquehanna River	Watermeal (<i>Wolffia spp.</i>) Water Lily (<i>Nymphaea spp.</i>) Water Hyacinth (<i>Brasenia spp.</i>) Bladderwort (<i>Utricularia spp.</i>)

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 23-650. Filed for public inspection May 12, 2023, 9:00 a.m.]

INSURANCE DEPARTMENT

Transamerica Life Insurance Company (SERFF # AEGB-133654049); Rate Increase Filing for Several LTC Forms; Rate Filing

Transamerica Life Insurance Company is requesting approval to increase the premium an aggregate 148% on 2,738 policyholders with individual LTC forms IP-70-PA-494, IP-71-PA-494, FP-70-PA-494, FP-71-PA-494, LTC 3 (PA) 1091, LTC 3 (PA) 1091 (GR194), LTC 3 (PA) 1091 (GR195), LTC 3 (PA) 1091 (REV195), LTC 5 TQ NH (PA) 1096, LTC 5 TQ COM (PA) 1096, LTC 5 TQ NH (PA-FP) 1096, LTC 5 TQ COM (PA-FP) 1096, LI-LTCP (PA) 192, LI-LTCP (PA) 195, LI-LTCP (PA-FR) 195, LI-LTCP TQ (PA) 898, LI-LTCP TQ (PA-FR) 898, GCPRO (PA) 193, GCPRO (PA-FR) 193, GCPRO (PA) 995, GCPRO (PA-FR)

995, GCPRO-II (PA) 794, GCPRO-II (PA-FR) 794, GCPRO-II (PA) 995, GCPRO-II (PA-FR) 995, GP001 796 (GC001 NH (PA) 796, GC001 LTC (PA) 796, GC001 HHC (PA) 796), ML-LTCP TQ (PA) 898, ML-LTCP TQ (PA-FR) 898, FPTQ (PA) 197, FPTQ (PA-FP) 197, LTC 5 TQ COM (PA) 1197, LTC 5 TQ COM (PA-FP) 1197, P-0001 (PA) 4/98, P-0001 (PA-FP) 4/98, 1-820 44-991, 1-822 44-991, LTC 104-194-PA, LTC 105-194-PA, LTC 106-194-PA, LTC 124-197-PA, LTC 224-197-PA, LTC 125-197-PA, LTC 225-197-PA, LTC 126-197-PA, LTC 226-197-PA, LTC 304-198-PA and LTC 305-198-PA.

Unless formal administrative action is taken prior to July 28, 2023, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov. To view

these filing notices, hover the cursor over the word “Consumers,” then select “Pending Long Term Care Rate Filings.”

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

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 23-651. Filed for public inspection May 12, 2023, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule for All Milk Marketing Areas; Over-Order Premium

Under the provisions of the Milk Marketing Law (31 P.S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on June 7, 2023, at 9 a.m. in Room 309, Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

The purpose of the hearing is to receive testimony and exhibits concerning the level and duration of the Class I over-order premium.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board’s list of parties by: (1) having their attorney file with the Board on or before 12 p.m. on May 16, 2023, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 12 p.m. on May 16, 2023, notification of their desire to be included as a party. Parties shall indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance should be filed electronically and be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. Copies of the filings will be available on the Board web site at <http://www.mmb.pa.gov/Public%20Hearings/>. Filing may be done by mail to the Board office or electronically to deberly@pa.gov.

1. By 2 p.m. on May 18, 2023, the petitioner shall file with the Board one original and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness’s area or areas of proposed expertise. For expert witnesses there shall also be filed a written report or written testimony explaining the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on May 25, 2023, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on June 1, 2023, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, five copies shall be provided for Board use and one copy shall be provided to each interested party.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing addressed to chardbarge@pa.gov and received in the Board office by 12 p.m. on May 26, 2023.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

CAROL HARDBARGER,
Secretary

[Pa.B. Doc. No. 23-652. Filed for public inspection May 12, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Service Plan and Waiver of Commission Regulations; Telephonic Prehearing Conference

P-2023-3039927. Pike County Light & Power Company. Petition of Pike County Light & Power Company for approval of a default service plan and waiver of Pennsylvania Public Utility Commission (Commission) regulations for the period June 1, 2024, through May 31, 2027.

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 9, 2023. 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: Pike County Light & Power Company

Through and by Counsel: Whitney E. Snyder, Esquire, Hawke McKeon & Sniscak, LLP, 100 North Tenth Street, Harrisburg, PA 17101, wesnyder@hmslegal.com

Telephonic Prehearing Conference

An initial telephonic prehearing conference on the previously captioned case will be held as follows:

<i>Date:</i>	Thursday, June 15, 2023
<i>Time:</i>	10 a.m.
<i>Presiding:</i>	Deputy Chief Administrative Law Judge Mark A. Hoyer (412) 565-3550 fax (717) 231-4765

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 and press #.

The telephone system will connect individuals to the conference.

Toll-free Conference Number: (866) 566-0651
PIN Number: 59956427

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 conference, the Commission will make every reasonable effort to have an interpreter present. Call the Scheduling Office at the Commission at least 10 business days prior to the prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

The Commission offers a free e-Filing subscription service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission 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.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-653. Filed for public inspection May 12, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Service

A-2023-3040295. Columbia Gas of Pennsylvania, Inc. Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to one inactive residential premises in Lawrence County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Tuesday, May 30, 2023. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov

with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery.

Applicant: Columbia Gas of Pennsylvania, Inc.

Through and By Counsel: Candis A. Tunilo, Esquire (ID # 89891), 800 North Third Street, Suite 204, Harrisburg, PA 17102, ctunilo@nisource.com; Theodore J. Gallagher, Esquire (ID # 90842), 121 Champion Way, Suite 100, Canonsburg, PA 15317, tjgallagher@nisource.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 23-654. Filed for public inspection May 12, 2023, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 30, 2023. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by May 30, 2023. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2023-3040146. QPS4U, LLC (1500 Chestnut Street, Suite 2, Philadelphia, Philadelphia County, PA 19102) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, between points in the City and County of Philadelphia.

A-2023-3040184. Gentle Options NEMT, LLC (134 Country Club Drive, Lansdale, Montgomery County, PA 19446) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2023-3040259. Wills Taxi Service, LLC (197 High Street, Berlin, Somerset County, PA 15530-1216) to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bedford, Cambria, Fayette, Somerset and Westmoreland, to points in Pennsylvania, and return.

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PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer by Sale

A-2023-3037704. Pennsylvania-American Water Company. In the matter of the application of Pennsylvania-American Water Company, under 66 Pa.C.S. § 1102(a)(3) (relating to enumeration of acts requiring certificate) for approval of the transfer by sale of a tract of land totaling 11.25 acres from North Franklin Township, Washington County, Pennsylvania properties and rights related to the land to Pennsylvania-American Water Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 29, 2023. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055

Through and By Counsel for: Teresa Harrold, Esquire, 852 Wesley Drive, Mechanicsburg, PA 17055, (717) 550-1562, teresa.harrold@amwater.com

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PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service

A-2023-3040190. The York Water Company. In the matter of the application of The York Water Company, under 66 Pa.C.S. § 1102(a)(1) and (3) (relating to enumeration of acts requiring certificate) for approval of the right of The York Water Company to acquire the water

distribution assets of Pine Run Management, LLC and to begin to offer or furnish water service to the public in additional portions of Hamilton Township, Adams County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 29, 2023. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, or on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: The York Water Company, 130 East Market Street, York, PA 17401

Through and By Counsel for: Michael W. Hassell, Esq., mhassell@postschell.com; Devin T. Ryan, Esq., dryan@postschell.com, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

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Secretary

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PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than May 30, 2023. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Peter Carnival at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-23-04-10. 2 Sons Taxi, LLC (3463 Fidler Street, Philadelphia, PA 19114): An application for a medallion taxicab certificate of public convenience to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

RICH LAZER,
Executive Director

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